

Improvement Res. No. 1402-75

overhead structures -
Calhoun St.
Lumber Natl Life
Ins. Co.

Resolution Adopted:

August 14, 1975

Confirmed:

Sept. 11, 1975

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

October 9, 1975

B.O. 217-1974

DECLARATORY RESOLUTION NO. 1402-1975

Overhead structures - Calhoun Street

Lincoln National Life Insurance Company

ADOPTED: August 14, 1975

ADVERTISE NOTICE TO PROPERTY OWNERS: Aug. 22 & 29, 1975

NOTICES MAILED: August 22, 1975

HEARING ON CONFIRMATION: Thurs. Sept. 11, 1975 at 3:30 p.m.

CONFIRMED: September 11, 1975

ASSESSMENT ROLL ORDERED: Ord. A. R. 9/11/75

ASSESSMENT ROLL APPROVED: Sept. 23, 1975

HEARING ON CONFIRMATION OF A. R.: Thurs. Oct. 9, '75
at 3:30 p.m.

NOTICE SERVED: Sept. 26, 1975

ASSESSMENT ROLL CONFIRMED. - October 9, 1975

to D. of F.

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

B.O. 217-1974

Date December 5, 1974 61-217-17

To RON BONAR - KEN TRAYLOR STREET ENGR. DEPT.
Subject Petition for Lincoln National Life Ins. Co. - Overhead Structure - Calhoun Street

Attached is copy of petition.

Please prepare a Declaratory Resolution and all details necessary for subject overhead structure.

Board Order Number 217-1974 has been assigned to this petition.

J. D. BOSWELL
C. E. O'NEAL
G. G. CONKLING
BOARD OF PUBLIC WORKS

ajf

attach - copy of petition

RECEIVED

DEC 10 1974

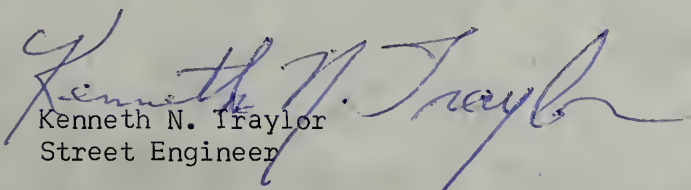
CITY ENGINEERING DEPT.

Signed _____

Reply:

August 12, 1975

Declaratory Resolution No. 1402-1975, Petition to Construct and Maintain Overhead Structures, Amendment to Petition, Agreement Permitting Construction and Maintenance of Overhead Structure and property ownership list completed and attached.


Kenneth N. Traylor
Street Engineer

lc
attachs.

62-213-8

Signed _____

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

B.O. 217-74

Date September 11, 1975 62-254-3

To STREET ENGINEERING DEPT.

Subject Dec. Res. No. 1402-1975 overhead structure - Calhoun Street

CONFIRMED.

Please prepare Assessment Roll of Benefits and Damages.

J. D. BOSWELL
C. E. O'NEAL
B. L. NAULT
BOARD OF PUBLIC WORKS

ajf

attached P.O. List

RECEIVED

SEP 12 1975

CITY ENGINEERING DEPT.

Signed _____

Reply: September 18, 1975

Attached please find Assessment roll of Benefits and Damages for
Declaratory Resolution No. 1402-75.

Kenneth W. Taylor
KNT:sw
Encl.

Ron Bonar
Ron Bonar, City Engineer

Signed _____

62-271-12 9/23/75
SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

B.O. 54-76

June 3, 1976

63-163-11

KEN TRAYLOR - STREET ENGINEERING DEPARTMENT

Petition - to construct and maintain overhead structures - area Brackenridge &
Baker Streets

Attached is copy of subject petition as well as ORIGINAL of Declaratory Resolution. Please assign a number to the resolution and prepare all details necessary for said overhead structure.

H. P. WEHRENBURG

E. H. LAMAR

M. G. SCOTT

BOARD OF PUBLIC WORKS

ajf

attached: copy of petition
original of resolution

Re: overhead
walkway &
parking garage



THE CITY OF FORT WAYNE

engineering department
7th floor, city-county building
one main street, fort wayne, indiana 46802

May 14, 1976

Harlan K. Holly
Associate General Counsel
Lincoln National Life Insurance Company
1301 South Harrison Street
Fort Wayne, Indiana 46801

Dear Mr. Holly:

In response to your request for written consent to construct a walkway over the ten (10) foot alley running north and south from West Brackenridge to West Baker Streets adjacent to Lots Numbered 56 through 61, Brackenridge Addition, we have no objection to the construction of a walkway of a reasonable width constructed fourteen (14) feet above the surface of the alley adjacent to said Lots 56 through 61. However, there is a sewer in the alley adjacent to Lots Numbered 4, 5, and 6 in Baker's Addition. We would prefer not to have a walkway over this portion of the alley which might restrict the use of a crane to maintain the sewer if the necessity arose.

Yours truly,

Howard A. Biggs
City Engineer
City of Fort Wayne

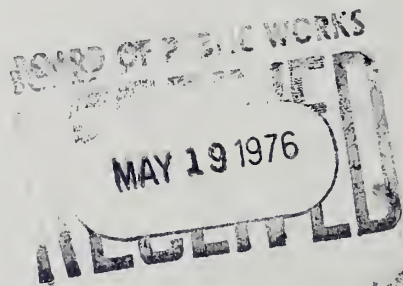
HAB/lmm

cc: H. Wehrenberg, Chr. of Board of Public Works
K. Traylor, Street Engineer
P. Boller, WPC Engineer

NOTED

H.P.W.
E.H.L.
M.G.S.

Date _____



Memorandum

To LARRY BURKE, ASSOCIATE CITY ATTORNEY Date MAY 5, 1976
From URSULA MILLER, CLERK
Subject LINCOLN LIFE OVERHEAD WALKWAY OVER ALLEY

COPIES TO:

Attached find one copy of each of following:

1. Petition to Construct and Maintain Overhead Structure.
2. Declaratory Resolution.
3. Agreement Permitting Construction and Maintenance of Overhead Structures.

Please examine and advise for legality. Lincoln Life is nearly ready for this overhead walkway phase, so Board of Works will appreciate your prompt attention.

These instruments were prepared by Harlan K. Holly, Associate General Counsel, who said he was following the forms used when they petitioned for overhead walkway on Calhoun. The difference is in clearance height.

(Mr. Wehrenberg has directed Lincoln Life to get clearance from City Utilities as well).

UM/EP

Attachments: 3

NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, **June 18, 1976**

To..... **LINCOLN NATIONAL LIFE INSURANCE CO.**

1301 SOUTH HARRISON STREET, FORT WAYNE, INDIANA
.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did
pass Improvement Resolution No. **1423-1976**
providing for the **construction of an overhead structure over a portion of the first**
alley west of Calhoun Street between Brackenridge Street and Baker Street.

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed..... **Thursday, July 1, 1976, 3:30 p.m., Room 910, City-County Bldg.**
a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

You are hereby notified that

Lots 55, 56, 57, 58, 59, 60, 61, 62

BRACKENRIDGE ADDITION

Lots 4, 5, 6, 7

BAKERS ADDITION

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

The
LINCOLN NATIONAL LIFE
INSURANCE COMPANY |||

FORT WAYNE, INDIANA 46801 |||

XEROX COPIES OF CONSENT
LETTER FROM CITY ENGINEER
FOR OVERHEAD WALKWAY - *Parking Garage*

FORM 1938



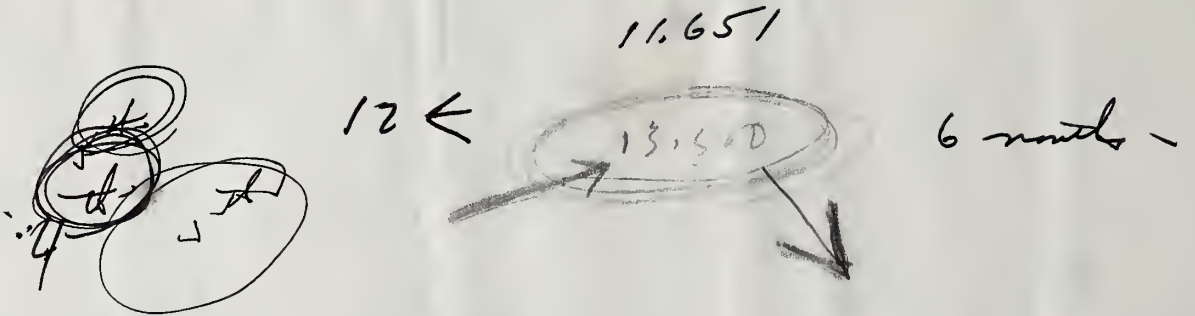


Project: LINCOLN Connecting Bridges

Date: 4-1-76

[illegible]

LIFE
LINCORNER
CROSS-DRIVE
PARK





THE CITY OF FORT WAYNE

board of public works
city-county building
one main street
fort wayne, indiana 46802

June 17, 1976

SUBJECT: PUBLIC HEARING

Dear Councilman Nuckols:

Please be advised that the Board has scheduled a public hearing Thursday,
July 1, 1976 at 3:30 p.m. concerning the follow-
ing project(s):

DEC. RES. NO. 1423-76 - Construct and maintain
overhead structure across an
alley between W. Brackenridge
and W. Baker Street

You are invited to attend this public hearing and hear the comments of
your constituents regarding the project(s). If you have any questions
on the project(s), please feel free to call.

Sincerely,

Henry P. Wehrenberg
Ethel LaMar
Max G. Scott
BOARD OF PUBLIC WORKS

ep

cc: Mayor

AN EQUAL OPPORTUNITY EMPLOYER



NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 7th day of June, 1976, the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION NO. 1423-1976

WHEREAS, on the 3rd day of June, 1976, THE LINCOLN NATIONAL LIFE INSURANCE COMPANY filed with this Board its written petition for permission to construct, install, occupy and maintain across an alley between West Brackenridge Street and West Baker Street in the City of Fort Wayne, Indiana, one (1) overhead walkway (hereinafter "the structure") connecting the present two-story building of The Lincoln National Life Insurance Company located on the west side of the alley and a proposed new parking garage to be constructed by The Lincoln National Life Insurance Company on the east side thereof, in accordance with that set of plans attached hereto as Exhibit "A", by Martindale, Tourney, Gibson, Inc., Architects, Engineers and Planners (hereinafter "the Plan"), and by reference incorporated herein and made a part hereof; and

WHEREAS, this Board of Public Works of the City of Fort Wayne now finds and determines:

1. That THE LINCOLN NATIONAL LIFE INSURANCE COMPANY is the sole owner of all real estate abutting on both sides of the alley between West Baker and West Brackenridge Street, to-wit:

East side of the alley

Lots numbered 55-61 in Brackenridge Addition and Lots numbered 4, 5 and 6 in Baker's Addition to the City of Fort Wayne

West side of the alley

Lot numbered 62 in Brackenridge Addition and Lot numbered 7 in Baker's Addition to the City of Fort Wayne

2. That said structure will connect the present building of The Lincoln National Life Insurance Company on the West side of the alley and the new proposed parking garage of The Lincoln National Life Insurance Company on the East side of the alley; that the center line of said structure will be approximately 36.00 feet South from Southeast and Southwest corners of the intersection of Brackenridge Street and the Alley along the East and West lines of said Alley; that the structure will have an overall width of approximately 10.00 feet from the East line of the Alley to the West line of the Alley; that the said structure will have a minimum clearance above the crown of the pavement of the alley of at least sixteen (16) feet, measured in a perpendicular line.

3. That the structure would not be detrimental or inconsistent with the free use of the easement of the public on the alley or be otherwise detrimental to or inconsistent with the free use of the easement of the public in the alley or the proper highway purposes thereof.
4. That the structure would be beneficial to the public and contribute to the public safety of the City of Fort Wayne.
5. That the structure would relieve congestion and traffic on West Brackenridge Street that would necessarily result from the movement of employees, visitors, etc., across the surface of West Brackenridge Street from one building to another.

All according to the provisions of Chapter 168, Acts of 1927, Section 1 of the General Assembly of the State of Indiana as amended by Chapter 10, Section 1 of the Acts of 1967 of the General Assembly of the State of Indiana.

All as shown by a plan of such proposed overhead walkway structure as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said overhead walkway structure shall be assessed against the property beneficially affected thereby.

The Board of Public Works has fixed Thursday, July 1, 1976 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

Henry P. Wehrenberg
Ethel H. LaMar
Max G Scott

BOARD OF PUBLIC WORKS

ATTEST: Ursual Miller, Clerk

PUBLISH: June 11 and 18, 1976

ep

July 30, 1976

Mr. Harlan K. Holly
The Lincoln National Life Insurance Company
1301 South Harrison Street
Fort Wayne, Indiana 46801

Dear Sir:

Enclosed is copy of executed Agreement permitting construction and maintenance of overhead structures.

Assessment Roll was confirmed Thursday, July 29, 1976.

Yours truly,

URSULA MILLER, Clerk
Board of Public Works

/ajf

Enclosure



THE
LINCOLN NATIONAL
LIFE INSURANCE
COMPANY

HARLAN K. HOLLY
Associate General Counsel

1301 SOUTH HARRISON STREET
FORT WAYNE, INDIANA 46801
219/742-5421

July 8, 1976

Ms. Ursula Miller, Clerk
Board of Public Works
City-County Building
Fort Wayne, Indiana 46802

Dear Ms. Miller:

Enclosed is the Agreement signed by Mr. T.A. Watson of The Lincoln National Life Insurance Company.

I will be looking forward to the signed copy after final confirmation is made of Assessment Roll.

Sincerely,

A handwritten signature in blue ink, appearing to read "Harlan K. Holly", written over a faint circular stamp.

Harlan K. Holly
Associate General Counsel

HKH:je

Enc.



THE CITY OF FORT WAYNE

board of public works
city-county building
one main street
fort wayne, indiana 46802

July 6, 1976

Harlan K. Holly
Associate General Counsel
Lincoln National Life Insurance Co.
1301 South Harrison Street
Fort Wayne, Indiana 46801

Re: Declaratory Resolution N 1423-76
Lincoln Life Alley Overhead Structure

Dear Mr. Holly:

At 3:30 p.m., July 1, 1976, the Board of Public Works conducted a Public Hearing to hear and receive remonstrances on above-captioned project.

Inasmuch as no one appeared, the Board confirmed the Resolution and ordered the Street Engineering Department to prepare the Assessment Roll of Benefits and Damages.

Enclosed please find Agreement which we had retyped providing for the sixteen foot clearance. Please have this executed and return. The Board will execute its portion when final confirmation is made of Assessment Roll and Lincoln Life's copy will be returned to you.

Very truly yours,

Ursula Miller, Clerk
Board of Public Works

UM:tg

Encl.

AN EQUAL OPPORTUNITY EMPLOYER



AGREEMENT PERMITTING CONSTRUCTION AND
MAINTENANCE OF OVERHEAD STRUCTURES

WHEREAS, The Board of Public Works of the City of Fort Wayne, Indiana, an Indiana municipal corporation, has received a petition submitted by THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, an Indiana corporation, for permission to construct, install, occupy and maintain one (1) overhead walkway (hereinafter "the structure") connecting the real estate and the buildings thereon abutting on both sides of that part of an alley within the City of Fort Wayne, Allen County, Indiana, to-wit:

That part of the 10-foot wide alley and the public easement therein running in a Northerly and Southerly direction between West Brackenridge and West Baker Streets, adjacent to the West lot lines of Lots Numbered 56 through 61, inclusive, of Brackenridge Addition, and Lots Numbered 4, 5 and 6 of Baker's Addition, and adjacent to the East lot lines of Lot Numbered 62 in Brackenridge Addition and Lot Numbered 7 in Baker's Addition, all in the City of Fort Wayne, Indiana

WHEREAS, The Lincoln National Life Insurance Company is the owner of all of the real estate adjoining said portion of the alley on the East side and is the owner of all the real estate adjoining said portion of the alley on the West side; and

WHEREAS, The Lincoln National Life Insurance Company will cause to be built a new parking garage on the East side of said portion of the alley, to be connected with its building now in existence on the West side of said portion of the alley by said structures;

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, in and for the consideration of (1) \$10.00 (2) the performance of the provisions and conditions herein contained, and (3) the benefits which will accrue to the public

and the City of Fort Wayne, which include (a) relieving congestion on that portion of the public street known as West Brackenridge, and (b) reducing significantly pedestrian traffic across that portion of the public street described above, hereby grants to The Lincoln National Life Insurance Company, their assigns, grantees and agents, for a period to continue so long as the hereinabove mentioned buildings or any additions thereto shall stand, permission to construct, install, occupy and maintain, or cause to be constructed, installed, occupied and maintained in and over that part of the alley and the public easement therein running in a Northerly and Southerly direction between West Baker and West Brackenridge Streets in the City of Fort Wayne, Indiana, one (1) overhead walkway for the purpose of connecting the real estate and the parking garage to be built on the East side of said portion of the alley with the real estate and existing building on the West side of said portion of the alley. The structure to be built shall provide clearance of at least sixteen (16) feet over the present grade of the above described portion of the alley and shall not alter in any dimension the present width of the above-described portion of the alley.

Such construction and installation of said structures shall be made and completed in accordance with the plans and specifications submitted by The Lincoln National Life Insurance Company or its General Contractor to the Department of Buildings of the said City of Fort Wayne, in connection with the application by The Lincoln National Life Insurance Company or its General Contractor for a location, improvement and building permit.

The permission and consent herein granted is subject to the following provisions and conditions:

(1) That plans and specifications showing the exact location of said structure and building materials to be used be submitted to and approved by the Board of Public Works prior to the start of construction and installation of said structures.

(2) That The Lincoln National Life Insurance Company, it assigns or grantees, agrees and does hereby agree to pay or cause to be paid all costs of construction, installation, and maintenance of said structure and appurtenances thereto, including repairs to the alley below occasioned by the construction and installation of said structure, and it hereby does agree to save the said City of Fort Wayne harmless against any loss or damage to persons or property occasioned by said construction and installation, except for loss or damage occasioned by acts of the City of Fort Wayne or its officers or employees.

(3) That The Lincoln National Life Insurance Company, its assigns or grantees, agrees and hereby does agree to pay all costs of maintenance and repair of said structure and appurtenances thereto after construction and installation, and to pay all costs of maintenance and repair of the alley beneath said structure necessitated by any maintenance or repair work on the structure.

(4) The Lincoln National Life Insurance Company, it assigns or grantees, hereby agrees to protect or cause to be protected from any and all damage whatsoever occasioned in any way by the construction, installation and maintenance of said structure, existing overhead and underground utilities located in that portion of the alley described above. The Lincoln National Life Insurance Company, it assigns or grantees further hereby agree to indemnify and hold harmless the said City of Fort Wayne and all utility companies affected by said

construction, installation or maintenance from and against any and all damage or loss claimed by them as a result of the construction, installation or maintenance of said structure.

(5) The Lincoln National Life Insurance Company, its assigns and grantees, also hereby agree that following the completion of said construction and installation and following the completion of any maintenance subsequently undertaken upon said portion of the alley or said structure, it shall restore the surface of said portion of the alley to a condition equivalent to or better than that existing at the time of said construction, installation or maintenance.

(6) It is understood and agreed that the permission and consent herein given, and the right to construct, install, occupy and maintain the structure hereby conferred shall not be taken or construed as an agreement on the part of the City of Fort Wayne, Indiana, that said structure may interfere with the ordinary and orderly use of the alley as a public way following completion of such construction, installation or maintenance. Although permission may be temporarily given to block off from the public use that portion of the alley described above during such construction, installation or maintenance, it is understood and agreed by The Lincoln National Life Insurance Company, their assigns or grantees that the structure to be built shall not be such as to block or otherwise disrupt in any other permanent way, the regular and ordinary use of the alley as a public way.

IN WITNESS WHEREOF, the Board of Public Works of said City of Fort Wayne and The Lincoln National Life Insurance Company have hereunto caused this agreement to be executed this 14 day of July, 1976.

ATTEST:

Ursula Miller
Ursula Miller, Clerk

BOARD OF PUBLIC WORKS OF THE CITY OF
FORT WAYNE

Henry P. Wehrberg
Edward J. DeMar
May G. Scott

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY

By :

Chairman of the Board

Attest:

Assistant Secretary

[illegible]

On this 14th day of July, in the year 1976,
before me ANNE J. FOX, a Notary Public in and
for Allen County, State of Indiana, duly commissioned and qualified
and residing therein personally appeared HENRY P. WEHREBERG,
ETHEL H. LAMAR, MAX G SCOTT, and URSULA MILLER,
to me known to be the identical persons who subscribed their names
to the within and foregoing instrument in my presence, and acknowledged
to me that they executed the same as their free and voluntary
act and deed for the uses, purposes and consideration therein set
forth.

WITNESS my hand and official seal the day and year last
above written.

Notary Public

My Commission Expires: March 6, 1980

STATE OF INDIANA)
COUNTY OF ALLEN) ss:

On this 8th day of July, in the year 1976, before me, Mary K. Bringman, a Notary Public in and for Allen County, State of Indiana, duly commissioned and qualified and residing therein personally appeared Thomas A. Watson and Nancy C. Peden, as Chairman of the Board and Assistant Secretary, respectively, of The Lincoln National Life Insurance Company, an Indiana corporation, and acknowledged the execution of the annexed instrument as their free and voluntary act and deed and as the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned.

Mary K. Bringman
Notary Public

My Commission Expires: MARY K. BRINGMAN
Notary Public in and for Allen County, Indiana
Residing in Fort Wayne, Indiana
My Commission Expires February 18, 1980

This instrument was prepared by Harlan K. Holly, Attorney.

APPROVED AS TO FORM AND LEGALITY.

Harry D. Burr
CITY ATTORNEY
Associate

Retyped

AGREEMENT PERMITTING CONSTRUCTION AND
MAINTENANCE OF OVERHEAD STRUCTURES

WHEREAS, The Board of Public Works of the City of Fort Wayne, Indiana, an Indiana municipal corporation, has received a petition submitted by THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, an Indiana corporation, for permission to construct, install, occupy and maintain one (1) overhead walkway (hereinafter "the structure") connecting the real estate and the buildings thereon abutting on both sides of that part of an alley within the City of Fort Wayne, Allen County, Indiana, to-wit:

That part of the 10-foot wide alley and the public easement therein running in a Northerly and Southerly direction between West Brackenridge and West Baker Streets, adjacent to the West lot lines of Lots Numbered 56 through 61, inclusive, of Brackenridge Addition, and Lots Numbered 4, 5 and 6 of Baker's Addition, and adjacent to the East lot lines of Lot Numbered 62 in Brackenridge Addition and Lot Numbered 7 in Baker's Addition, all in the City of Fort Wayne, Indiana

WHEREAS, The Lincoln National Life Insurance Company is the owner of all of the real estate adjoining said portion of the alley on the East side and is the owner of all the real estate adjoining said portion of the alley on the West side; and

WHEREAS, The Lincoln National Life Insurance Company will cause to be built a new parking garage on the East side of said portion of the alley, to be connected with its building now in existence on the West side of said portion of the alley by said structures;

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, in and for the consideration of (1) \$10.00 (2) the performance of the provisions and conditions herein contained, and (3) the benefits which will accrue to the public

and the City of Fort Wayne, which include (a) relieving congestion on that portion of the public street known as West Brackenridge, and (b) reducing significantly pedestrian traffic across that portion of the public street described above, hereby grants to The Lincoln National Life Insurance Company, their assigns, grantees and agents, for a period to continue so long as the hereinabove mentioned buildings or any additions thereto shall stand, permission to construct, install, occupy and maintain, or cause to be constructed, installed, occupied and maintained in and over that part of the alley and the public easement therein running in a Northerly and Southerly direction between West Baker and West Brackenridge Streets in the City of Fort Wayne, Indiana, one (1) overhead walkway for the purpose of connecting the real estate and the parking garage to be built on the East side of said portion of the alley with the real estate and existing building on the West side of said portion of the alley. The structure to be built shall provide clearance of at least ~~SIXTEEN~~ ⁽¹⁶⁾ ~~fourteen (14)~~ feet over the present grade of the above described portion of the alley and shall not alter in any dimension the present width of the above-described portion of the alley.

Such construction and installation of said structures shall be made and completed in accordance with the plans and specifications submitted by The Lincoln National Life Insurance Company or its General Contractor to the Department of Buildings of the said City of Fort Wayne, in connection with the application by The Lincoln National Life Insurance Company or its General Contractor for a location, improvement and building permit.

The permission and consent herein granted is subject to the following provisions and conditions:

(1) That plans and specifications showing the exact location of said structure and building materials to be used be submitted to and approved by the Board of Public Works prior to the start of construction and installation of said structures.

(2) That The Lincoln National Life Insurance Company, its assigns or grantees, agrees and does hereby agree to pay or cause to be paid all costs of construction, installation, and maintenance of said structure and appurtenances thereto, including repairs to the alley below occasioned by the construction and installation of said structure, and it hereby does agree to save the said City of Fort Wayne harmless against any loss or damage to persons or property occasioned by said construction and installation, except for loss or damage occasioned by acts of the City of Fort Wayne or its officers or employees.

(3) That The Lincoln National Life Insurance Company, its assigns or grantees, agrees and hereby does agree to pay all costs of maintenance and repair of said structure and appurtenances thereto after construction and installation, and to pay all costs of maintenance and repair of the alley beneath said structure necessitated by any maintenance or repair work on the structure.

(4) The Lincoln National Life Insurance Company, its assigns or grantees, hereby agrees to protect or cause to be protected from any and all damage whatsoever occasioned in any way by the construction, installation and maintenance of said structure, existing overhead and underground utilities located in that portion of the alley described above. The Lincoln National Life Insurance Company, its assigns or grantees further hereby agree to indemnify and hold harmless the said City of Fort Wayne and all utility companies affected by said

construction, installation or maintenance from and against any and all damage or loss claimed by them as a result of the construction, installation or maintenance of said structure.

(5) The Lincoln National Life Insurance Company, its assigns and grantees, also hereby agree that following the completion of said construction and installation and following the completion of any maintenance subsequently undertaken upon said portion of the alley or said structure, it shall restore the surface of said portion of the alley to a condition equivalent to or better than that existing at the time of said construction, installation or maintenance.

(6) It is understood and agreed that the permission and consent herein given, and the right to construct, install, occupy and maintain the structure hereby conferred shall not be taken or construed as an agreement on the part of the City of Fort Wayne, Indiana, that said structure may interfere with the ordinary and orderly use of the alley as a public way following completion of such construction, installation or maintenance. Although permission may be temporarily given to block off from the public use that portion of the alley described above during such construction, installation or maintenance, it is understood and agreed by The Lincoln National Life Insurance Company, their assigns or grantees that the structure to be built shall not be such as to block or otherwise disrupt in any other permanent way, the regular and ordinary use of the alley as a public way.

IN WITNESS WHEREOF, the Board of Public Works of said City of Fort Wayne and The Lincoln National Life Insurance Company have hereunto caused this agreement to be executed this ____ day of _____, 1976.

BOARD OF PUBLIC WORKS OF THE CITY OF
FORT WAYNE

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY

By: Alex Tokay

Attest: C. Marcus

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

On this _____ day of _____, in the year 1976,
before me, _____, a Notary Public in and
for Allen County, State of Indiana, duly commissioned and qualified
and residing therein personally appeared _____,
_____, and _____,
to me known to be the identical persons who subscribed their names
to the within and foregoing instrument in my presence, and acknowledged
to me that they executed the same as their free and voluntary
act and deed for the uses, purposes and consideration therein set
forth.

WITNESS my hand and official seal the day and year last
above written.

Notary Public

My Commission Expires:

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

On this 5TH day of MAY, in the year 1976,
before me, SANDRA L. HUFF, a Notary Public in and
for Allen County, State of Indiana, duly commissioned and qualified
and residing therein personally appeared ALEX TOKAY
and C. MARCUS, as VICE PRESIDENT AND ASSISTANT
SECRETARY, respectively, of The Lincoln National Life Insurance
Company, an Indiana corporation, and acknowledged the execution of
the annexed instrument as their free and voluntary act and deed
and as the free and voluntary act and deed of said corporation,
for the uses and purposes therein mentioned.

Sandra L. Huff
Notary Public

My Commission Expires:

SANDRA L. HUFF

Notary Public in and for Allen County, Indiana

Residing in Fort Wayne, Indiana

My Commission Expires September 24, 1977

This instrument was prepared by Harlan K. Holly, Attorney.

AGREEMENT PERMITTING CONSTRUCTION AND
MAINTENANCE OF OVERHEAD STRUCTURE

WHEREAS, The Board of Public Works of the City of Fort Wayne, Indiana, an Indiana municipal corporation, has received a petition submitted by LINCOLN NATIONAL CORPORATION, an Indiana corporation, and THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, an Indiana corporation, a wholly owned subsidiary of Lincoln National Corporation, for permission to construct, install, occupy and maintain one (1) overhead walkway (hereinafter the structure) connecting the real estate and the buildings thereon abutting on both sides of that part of Calhoun Street within the City of Fort Wayne, Allen County, Indiana, to-wit:

That part of Calhoun Street and the public easement therein running in a Northerly and Southerly direction between Douglas and Brackenridge Streets in the City of Fort Wayne, Indiana beginning at the Southern terminus of Douglas Street and running to the Northern terminus of Brackenridge Street.

WHEREAS, Lincoln National Corporation is the owner of all the real estate adjoining said portion of Calhoun Street on the East side and The Lincoln National Life Insurance Company is the owner of all the real estate adjoining said portion of Calhoun Street on the West side.

WHEREAS Lincoln National Corporation will cause to be built a new annex office building on the East side of said portion of Calhoun Street to be connected with The Lincoln National Life Insurance Company's Office Building now in existence on the West side of said portion of Calhoun Street by said structure.

NOW THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, in and for the consideration of (1) \$10.00, (2) the performance of the provisions and conditions herein contained and (3) the benefits which will accrue to the public and the city of Fort Wayne which include (a) relieving congestion on that portion of the public street

described above and (b) reducing significantly pedestrian traffic across that portion of the public street described above, hereby grants to Lincoln National Corporation, and to The Lincoln National Life Insurance Company their assigns, grantees and agents, for a period to continue so long as the hereinabove mentioned buildings or any additions thereto shall stand, permission to construct, install, occupy and maintain, or to cause to be constructed, installed, occupied and maintained in and over that part of Calhoun Street and the public easement therein running in a Northerly and Southerly direction between Douglas and Brackenridge Streets in the City of Fort Wayne, Indiana beginning at the Southern terminus of Douglas Street and running to the Northern terminus of Brackenridge Street, one (1) overhead walkway for the purpose of connecting the real estate and the building to be built on the East side of said portion of Calhoun Street with the real estate and existing building on the West side of said portion of Calhoun Street. The structure to be built shall provide clearance of at least sixteen (16) feet over the present grade of the above described portion of Calhoun Street and shall not alter in any dimension the present width of the above described portion of Calhoun Street.

Such construction and installation of said structure shall be made and completed in accordance with the plans and specifications submitted by Lincoln National Corporation or its General Contractor to the Department of Buildings of the said City of Fort Wayne, in connection with the application by Lincoln National Corporation or its General Contractor for a location, improvement and building permit.

The permission and consent herein granted is subject to the following provisions and conditions:

(1) That plans and specifications showing the exact location of said structure and building materials to be used be submitted to and approved by the Board of Public Works prior to the start of construction and installation of said structure.

(2) That Lincoln National Corporation, its assigns or grantees, agrees and does hereby agree, to pay or cause to be paid all costs of construction, installation, and maintenance of said structure and appurtenances thereto including repairs to the street and sidewalk below occasioned by the construction and installation of said structure and it hereby does agree to save the said City of Fort Wayne harmless against any loss or damage to persons or property occasioned by said construction and installation except for loss or damage occasioned by acts of the City of Fort Wayne or its officers or employees.

(3) That Lincoln National Corporation, its assigns or grantees, agrees and hereby does agree to pay all costs of maintenance and repair of said structure and appurtenances thereto after construction and installation and to pay all costs of maintenance and repair of the street and sidewalks beneath said structure necessitated by any maintenances or repair work on the structure.

(4) Lincoln National Corporation, its assigns or grantees, hereby agrees to protect or cause to be protected from any and all damage whatsoever occasioned in any way by the construction, installation and maintenance of said structure, existing overhead and underground utilities located in that portion of Calhoun Street described above. Lincoln National Corporation its assigns or grantees further hereby agrees to indemnify and hold harmless the said City of Fort Wayne and all utility companies affected by said construction, installation or maintenance from and against any and all damage or loss claimed by them as a result of the construction, installation or maintenance of said structure.

(5) Lincoln National Corporation, its assigns and grantees, also hereby agrees that following the completion of said construction and installation and following the completion of any maintenance subsequently undertaken upon

said portion of Calhoun Street or said structure, it shall restore the surface of said portion of Calhoun Street to a condition equivalent to or better than that existing at the time of said construction, installation or maintenance.

(6) It is understood and agreed that the permission and consent herein given, and the right to construct, install, occupy and maintain the structure hereby conferred shall not be taken or construed as an agreement on the part of the City of Fort Wayne, Indiana, that said structure may interfere with the ordinary and orderly use of Calhoun Street as a public way following completion of such construction, installation or maintenance. Although permission may be temporarily given to block off from the public use that portion of Calhoun Street described above during such construction, installation or maintenance, it is understood and agreed by Lincoln National Corporation and The Lincoln National Life Insurance Company their assigns or grantees that the structure to be built shall not be such as to block or otherwise disrupt in any other permanent way, the regular and orderly use of Calhoun Street as a public way.

IN WITNESS WHEREOF, the Board of Public Works of said City of Fort Wayne, Lincoln National Corporation and The Lincoln National Life Insurance Company have hereunto caused this agreement to be executed this 9 day of October, 1975.

BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE

J. D. Boswell

Carl E. O'Neal

Betty Lou Nault

Attest: Harlan K. Holly
Harlan K. Holly, Assistant Secretary

Attest: Nancy C. Peden
Nancy C. Peden, Assistant Secretary

State of Indiana)
County of Allen)

County of Allen)
On this 9 day of October, 1975, in the
year 1975, before me, Anne J. Zol, a Notary
Public in and for Allen County, State of Indiana, duly commissioned and qualified
and residing therein personally appeared Jerry & Baswell,
Carb E. Nealy,
and Betty Lou Kault, to me known to be
the identical persons who subscribed their names to the within and foregoing
instrument in my presence, and acknowledged to me that they executed the same
as their free and voluntary act and deed for the uses, purposes and consideration
therein set forth.

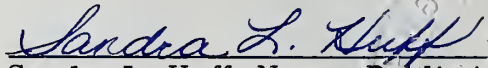
WITNESS my hand and official seal the day and year last above written.

June 20
Notary Public

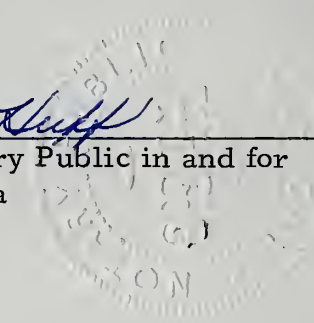
My commission expires: March 6, 1976

State of Indiana)
) SS:
County of Allen)

Before me, Sandra L. Huff, a Notary Public, this 4th day of March, 1975, personally appeared Thomas A. Watson and Harlan K. Holly, as President and Assistant Secretary, respectively, of Lincoln National Corporation, an Indiana corporation, and acknowledged the execution of the annexed instrument as their free and voluntary act and deed and as the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned.



Sandra L. Huff, Notary Public in and for
Allen County, Indiana

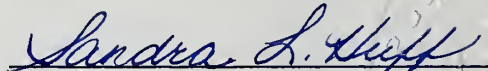


My commission expires:

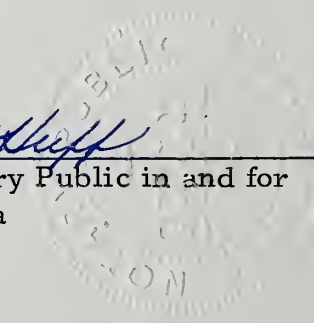
September 24, 1977

State of Indiana)
) SS:
County of Allen)

Before me, Sandra L. Huff, a Notary Public, this 4th day of March, 1975, personally appeared Gathings Stewart and Nancy C. Peden, as President and Assistant Secretary, respectively, of The Lincoln National Life Insurance Company, an Indiana corporation, and acknowledged the execution of the annexed instrument as their free and voluntary act and deed and as the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned.



Sandra L. Huff, Notary Public in and for
Allen County, Indiana



My commission expires:

September 24, 1977

This instrument was prepared by Timothy J. Gifford, Attorney.

62-290-2

10/2/75

61-130-16
12/16/74

AGREEMENT FOR CONVEYANCE OF REAL ESTATE

THIS AGREEMENT, made and entered into this 16th day of December, 1974, by and between LINCOLN NATIONAL CORPORATION (hereinafter "Lincoln"), whose address is 1301 South Harrison, Fort Wayne, Indiana and the BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE (hereinafter the "Board").

WITNESSETH:

WHEREAS, the City of Fort Wayne is the owner of certain lots or portions thereof known as Lots numbered 91, 92 and 93 in Hamilton's Third Addition to the City of Fort Wayne, excepting therefrom the East 46 feet thereof, all according to the recorded Plat of said Addition, being and lying in the County of Allen, City of Fort Wayne, State of Indiana, which are hereinafter referred to as "the Property",

WHEREAS, The Lincoln National Life Insurance Company, a wholly owned subsidiary of Lincoln, had by Special Warranty Deed dated May 27, 1965 given said Property to the City of Fort Wayne as a gift, subject to the terms and agreements contained in that certain letter agreement dated May 27, 1965 between the Board and The Lincoln National Life Insurance Company,

WHEREAS, two of the purposes of said gift to the city were:
(1) the redesigning of the North east corner of the intersection of Calhoun and Brackenridge Streets for traffic purposes by the City and (2) the keeping of the Property in a neat and sightly condition by the City,

WHEREAS, the redesigning of said corner has been accomplished and improvements made and the traffic problem alleviated at said corner,

WHEREAS both the Board and Lincoln agree that it is in the best interest of Lincoln and the City of Fort Wayne that said Property be conveyed to Lincoln to be used as a green area to be maintained at Lincoln's expense on the terms and conditions hereafter set forth,

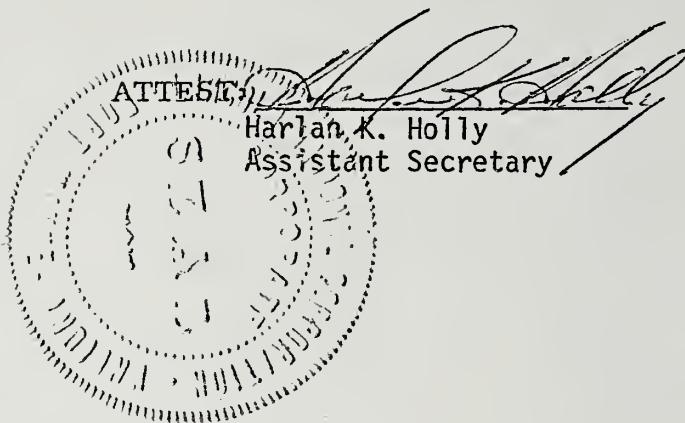
NOW, THEREFORE, for and in consideration of the mutual covenants, conditions, representations and undertakings hereinafter contained, it is agreed by and between the parties hereto as follows:

- (1) PROPERTY. The Board of Public Works of the city of Fort Wayne shall convey and the Lincoln shall accept the Property. The conveyance shall be by Special Warranty Deed. Recording costs shall be borne by the Lincoln.
- (2) ABSTRACT OF TITLE. The Board shall furnish to the Lincoln an abstract of title for the Property.
- (3) COVENANTS OF THE LINCOLN. By the execution of this agreement and by the filing of the above mentioned deed for record, the Lincoln agrees to keep the Property in a neat and sightly condition at its expense and to use the Property as a green area. The Lincoln also hereby agrees to reconvey, without charge, to the City of Fort Wayne such portions of the Property as the City may from time to time require for further street improvements to the above described corner.
- (4) CLOSING DATE. The Conveyance of the Property to the Lincoln shall occur within 30 days of the execution of this agreement.
- (5) AMENDMENTS. This agreement may not be amended, altered, modified or changed in any respect whatsoever except by further agreement in writing duly executed by the parties hereto.
- (6) SUCCESSORS. This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors, representatives and assigns.

IN WITNESS WHEREOF, the corporate party hereto has caused these presents to be executed by its duly authorized officers and the corporate

seal affixed thereto and the members of the Board of Public Works on behalf
of the Board of Public Works of The City of Fort Wayne have affixed their
respective signatures this 16th day of December, 1974.

LINCOLN NATIONAL CORPORATION



BY: [Signature]
Thomas A. Watson
President

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE

By: [Signature]

APPROVED AS TO FORM
AND LEGALITY:

By: Carl E O'Neal

By: [Signature]
John R. Fleck
Associate City Attorney

By: [Signature]

Improvement Res. No.

Resolution Adopted:

Confirmed:

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

BOARD OF PUBLIC WORKS OF THE
CITY OF FORT WAYNE, INDIANA

DECLARATORY RESOLUTION NO. 1402-75

1402-75 8/14/75
62-213-8 H-I
8/14/75

WHEREAS, on the 5 day of DECEMBER, 1975, LINCOLN NATIONAL CORPORATION and THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, filed with this Board their written petition which petition was amended on the 4 day of MARCH, 1975, for permission to construct, install, occupy and maintain across Calhoun Street between Douglas Street and Brackenridge Street in the City of Fort Wayne, Indiana, one (1) overhead walkway (hereinafter the structure) connecting the present 6 story office building of The Lincoln National Life Insurance Company located on the west side of Calhoun Street and a proposed new office building to be constructed by LINCOLN NATIONAL CORPORATION on the east side thereof, in accordance with that set of plans attached hereto as Exhibit "A", by Holabird & Root, Architects and Engineers (hereinafter the Plan) and by reference incorporated herein and made a part hereof; and

WHEREAS, this Board of Public Works of the City of Fort Wayne now finds and determines:

1. That LINCOLN NATIONAL CORPORATION and THE LINCOLN NATIONAL LIFE INSURANCE COMPANY are the sole owners of all real estate abutting on both sides of Calhoun Street between Douglas Street and Brackenridge Street to wit:

East side of Calhoun Street

Lots numbered 91-101, 103-107 in Hamiltons 3rd addition to the City of Fort Wayne

West side of Calhoun Street

Lots numbered 84-89, 52-54 in Brackenridge Addition to the City of Fort Wayne.

2. That said structure will connect the present building of The Lincoln National Life Insurance Company on the West side of

Calhoun Street and the new proposed office building of Lincoln National Corporation on the East side of Calhoun Street; that the center line of said structure will be approximately 78.97 feet South from the Southeast corner of the intersection of Douglas Street and Calhoun Street along the East line of said Calhoun Street and approximately 114.00 feet South from the Southwest corner of the intersection of Calhoun and Douglas Street along the West side of Calhoun Street; that the structure will have an overall width of approximately 59.64 feet from the East line of Calhoun Street to the West line of Calhoun Street; that the said structure will have a minimum clearance above the crown of the pavement of Calhoun Street of at least sixteen (16) feet measured in a perpendicular line.

3. That the structure would not be detrimental or inconsistent with the free use of the easement of the public on Calhoun Street or be otherwise detrimental to or inconsistent with the free use of the easement of the public in Calhoun Street or the proper highway purposes thereof.
4. That the structure would be beneficial to the public and contribute to the public safety of the City of Fort Wayne.
5. That the structure would relieve congestion and traffic on Calhoun Street that would necessarily result from the movement of employees, visitors, etc. across the surface of Calhoun Street from one office building to another.

NOW THEREFORE, pursuant to the power and authority granted it by the provisions of Chapter 168, Acts of 1927 Section 1 of the General Assembly of the State of Indiana as amended by Chapter 10, Section 1 of the Acts of 1967 of the General Assembly of the State of Indiana. BE AND IT IS HEREBY RESOLVED by the BOARD OF WORKS OF THE CITY OF FORT WAYNE, INDIANA:

1. That it hereby grants to LINCOLN NATIONAL CORPORATION and THE LINCOLN NATIONAL LIFE INSURANCE COMPANY permission to construct, install, occupy and maintain across Calhoun Street, between Douglas and Brackenridge Streets in the City of Fort Wayne, for a period to continue so long as the hereinabove mentioned buildings or any additions thereto shall stand and said structure continue to exist, that certain overhead structure designated and described in the Plan herein referred to; subject, however, to the obligation of Lincoln National Corporation and The Lincoln National Life Insurance Company to pay all the costs of construction, installation and maintenance of said structure, including repairs to the street and sidewalks below occasioned by the construction and installation of said structures, to protect the public from harm during the construction thereof; to hold the City of Fort Wayne, Indiana harmless from any claims of loss or damage to persons or property caused by such construction and the maintenance and existence of said structure and, to maintain said structure at all times in a safe condition at their expense.

2. That the real estate which may be injuriously or beneficially affected by said structure are:

East side of Calhoun Street

Lots numbered 91-101, 103-107 in Hamilton 3rd addition to the City of Fort Wayne.

West side of Calhoun Street

Lots numbered 84-89, 52-54 in Brackenridge addition to the City of Fort Wayne.

all owned by Lincoln National Corporation or The Lincoln National Life Insurance Company.

3. That a public hearing be held on the Thursday day of September 11, 1975 at 3:30 pm clock at the offices of this Board at which this Board will hear and receive

remonstrances from persons interested in or affected by these proceedings, after which this Board will take final action confirming, modifying or rescinding this resolution, which action shall be final and conclusive on all persons.

4. That there be published in the News-Sentinel, a newspaper of general circulation published in the City of Fort Wayne, Indiana, once a week for two consecutive weeks the 2nd of which shall be upon a date not less than ten (10) days prior to the date of the public hearing set in paragraph 3 above due notice of the adoption of this resolution, stating the time, place and date of said public hearing, that at said public hearing this board will hear and receive remonstrances from persons interested in or affected by these proceedings, and that after which this board will confirm, modify or rescind this resolution, and
5. That in the event this Resolution be so confirmed, the permission hereby granted to construct and maintain said overhead structure shall be noncancellable so long as the hereinabove mentioned buildings or any additions thereto shall stand and as long as said structure shall continue to exist.

Date entered this 14th day of August, 1975.

Board of Public Works of the
City of Fort Wayne, Indiana

By

[Signature]
Carl E. O'Neal
Betty Lou Nault

Attest:

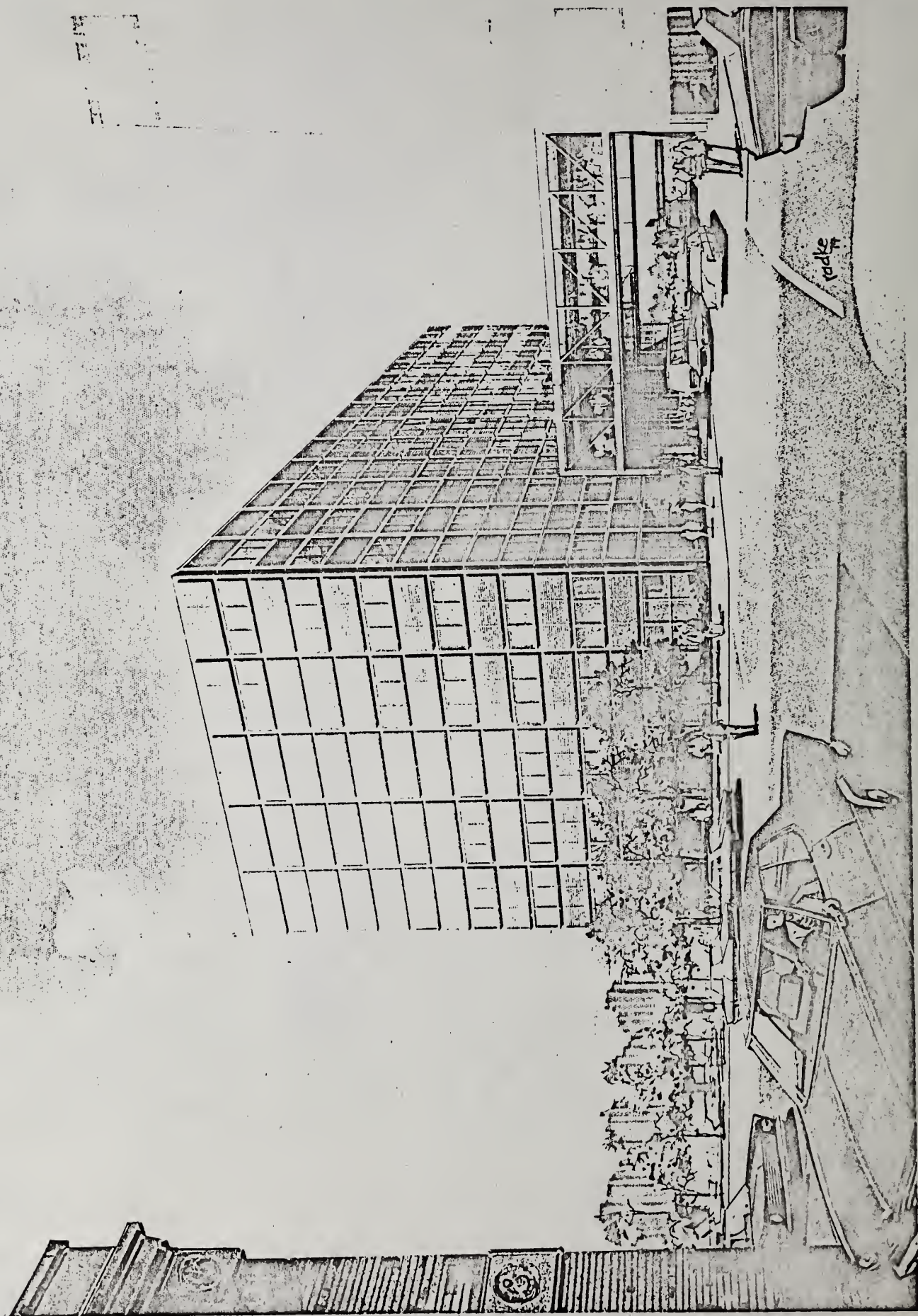
Earl L. Smith

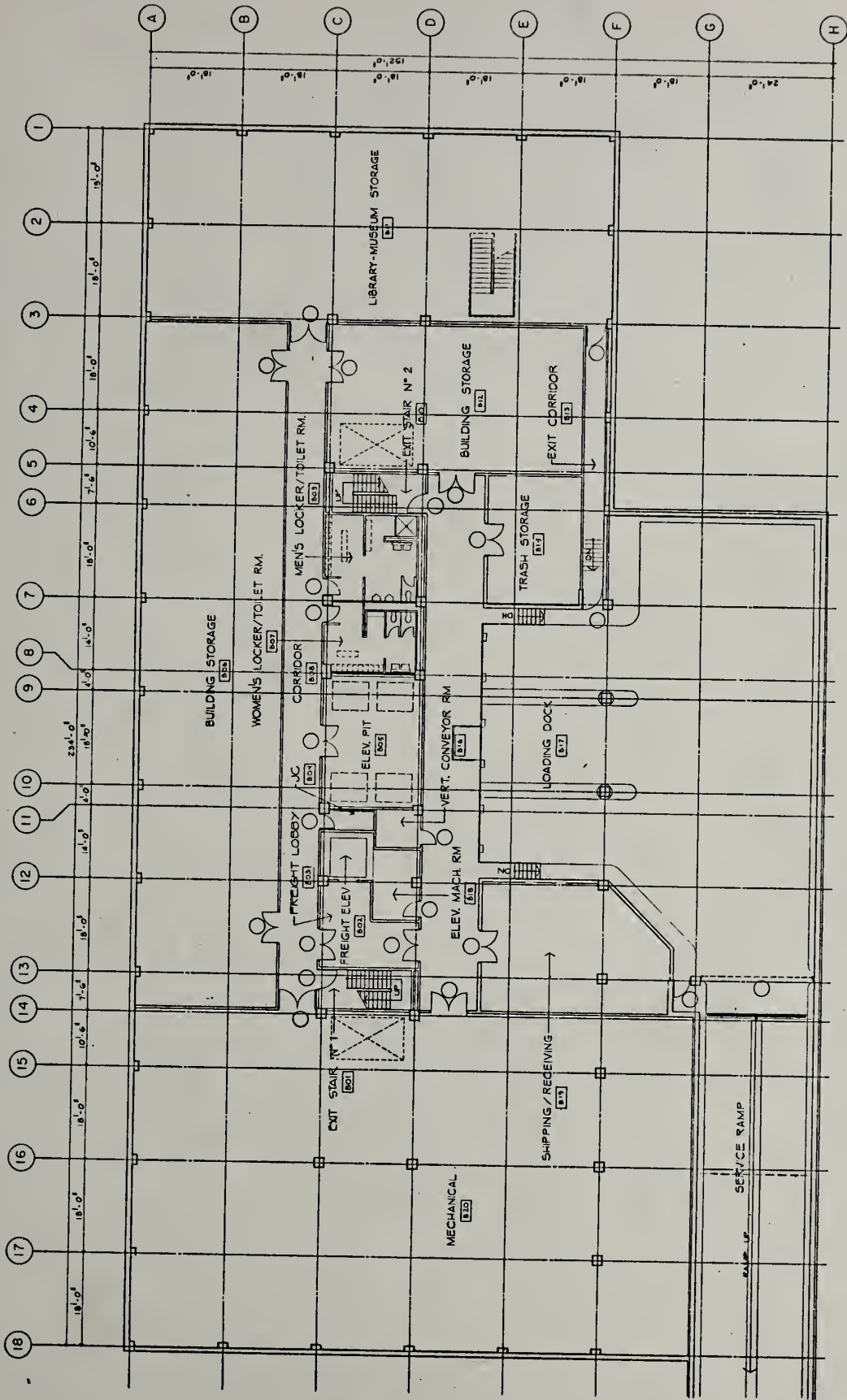
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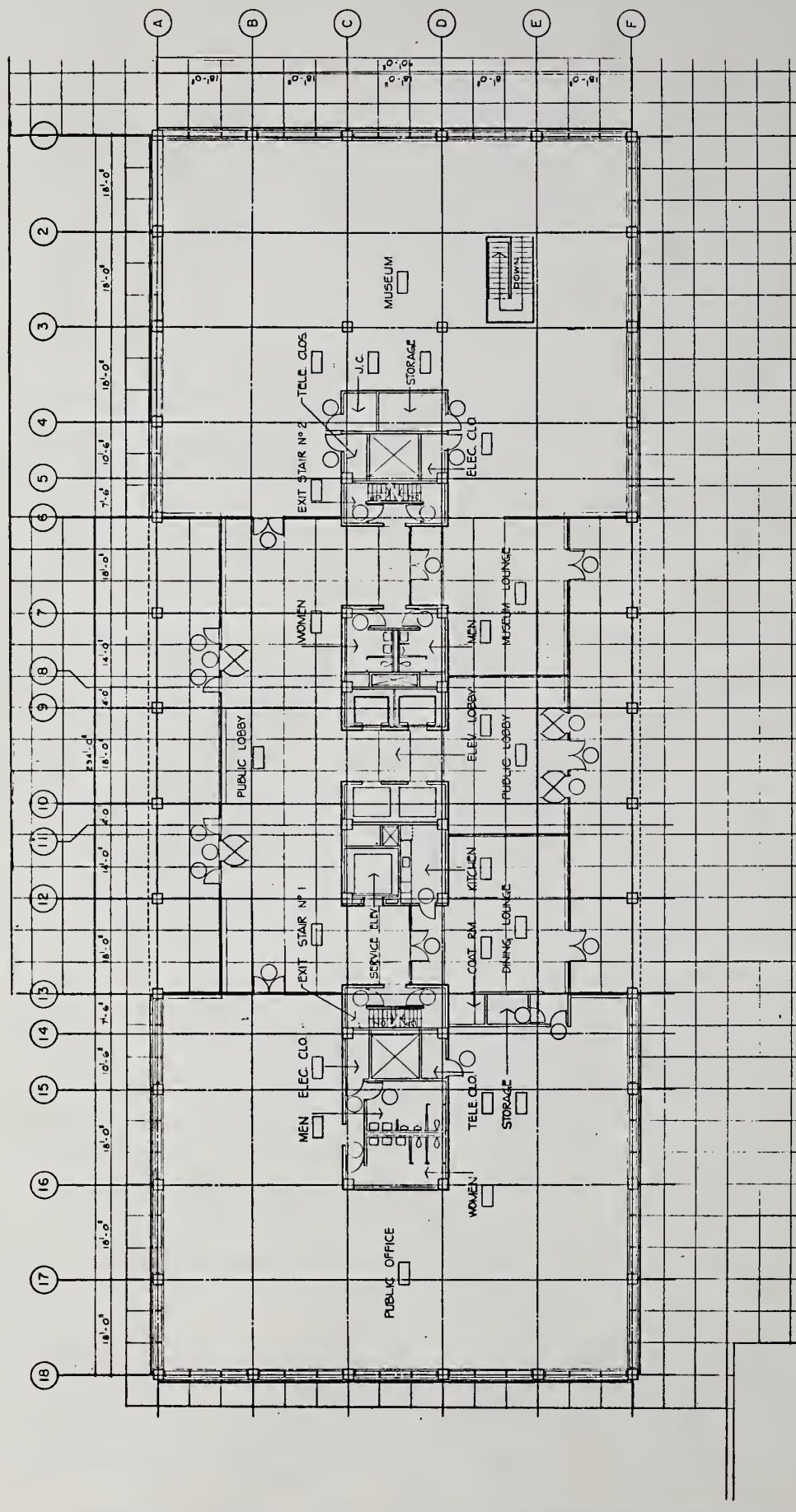
Lincoln National Corporation
Office Building
Fort Wayne, Indiana

EXHIBIT "A"

Holabird & Root
Architects Engineers



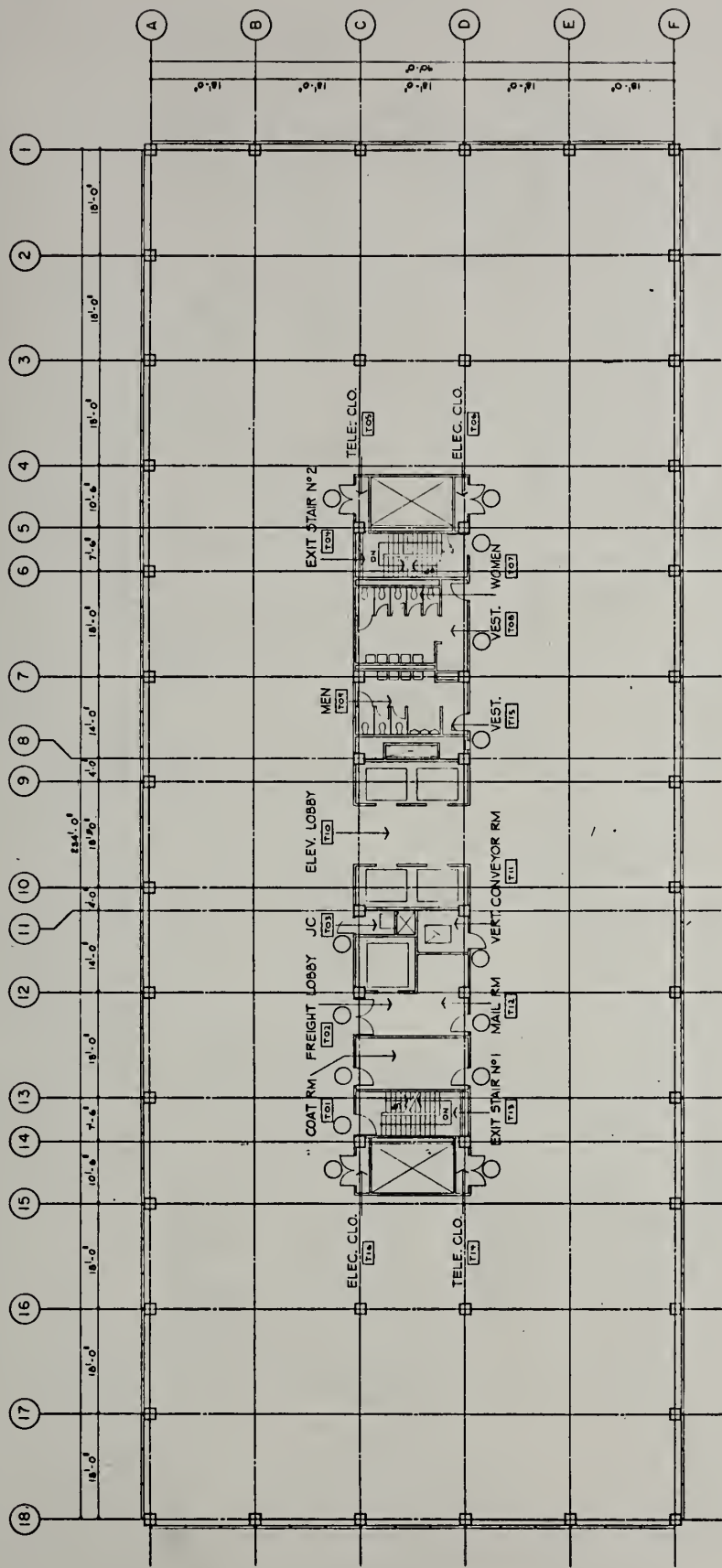




LINCOLN NATIONAL CORPORATION FORT WAYNE, INDIANA
1ST FLR. PLAN

HOLABIRD & ROOT ARCHITECTS ENGINEERS

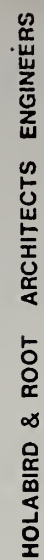




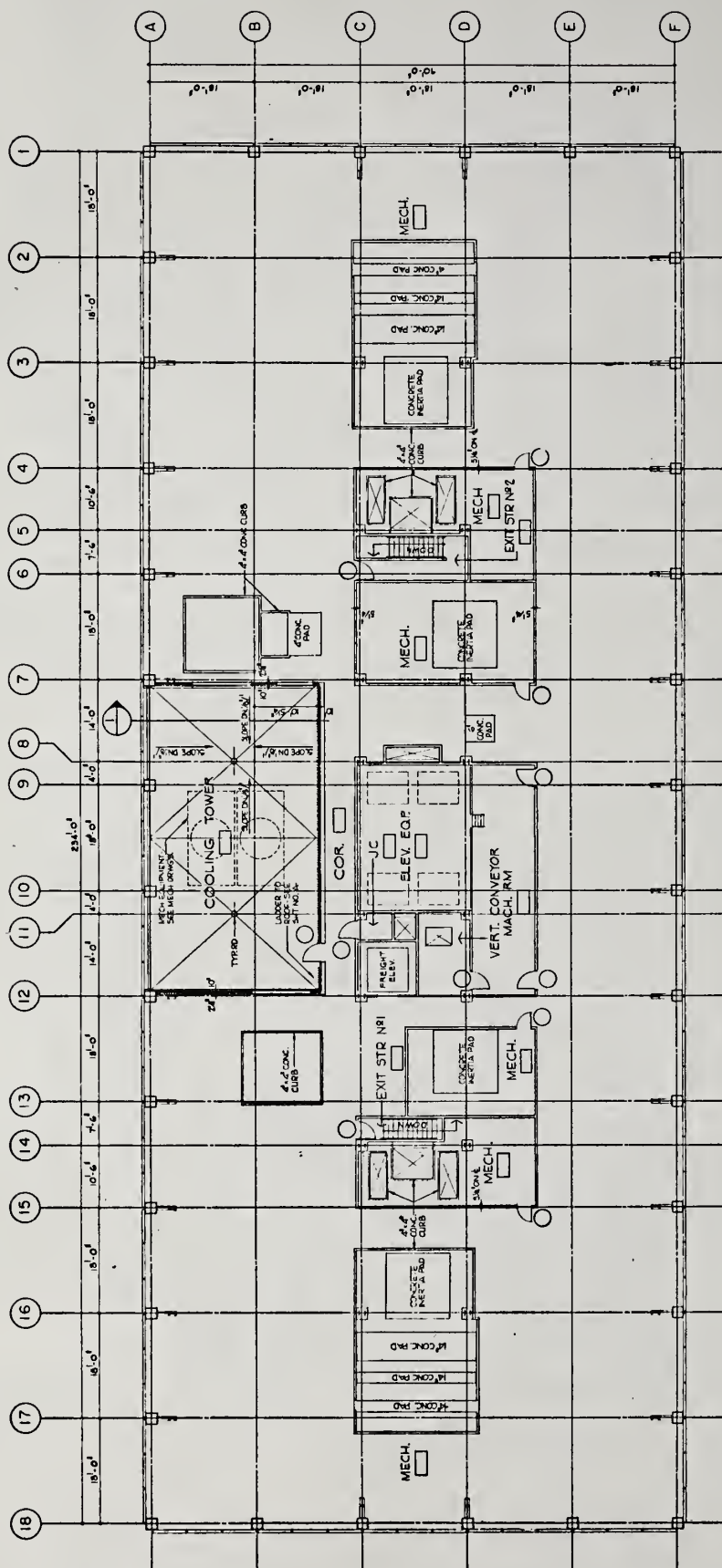
LINCOLN NATIONAL CORPORATION
TYPICAL FLR. PLAN

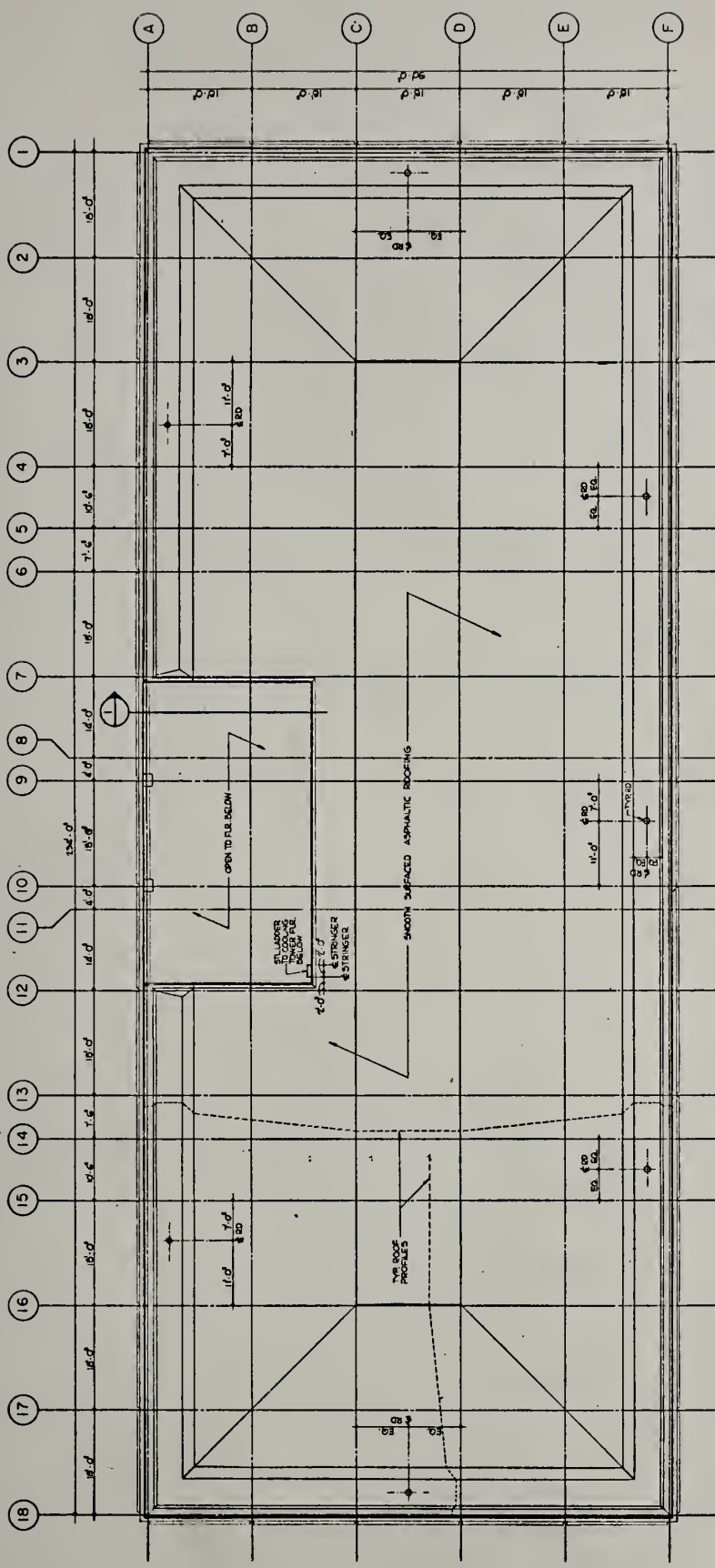
HOLABIRD & ROOT ARCHITECTS ENGINEERS



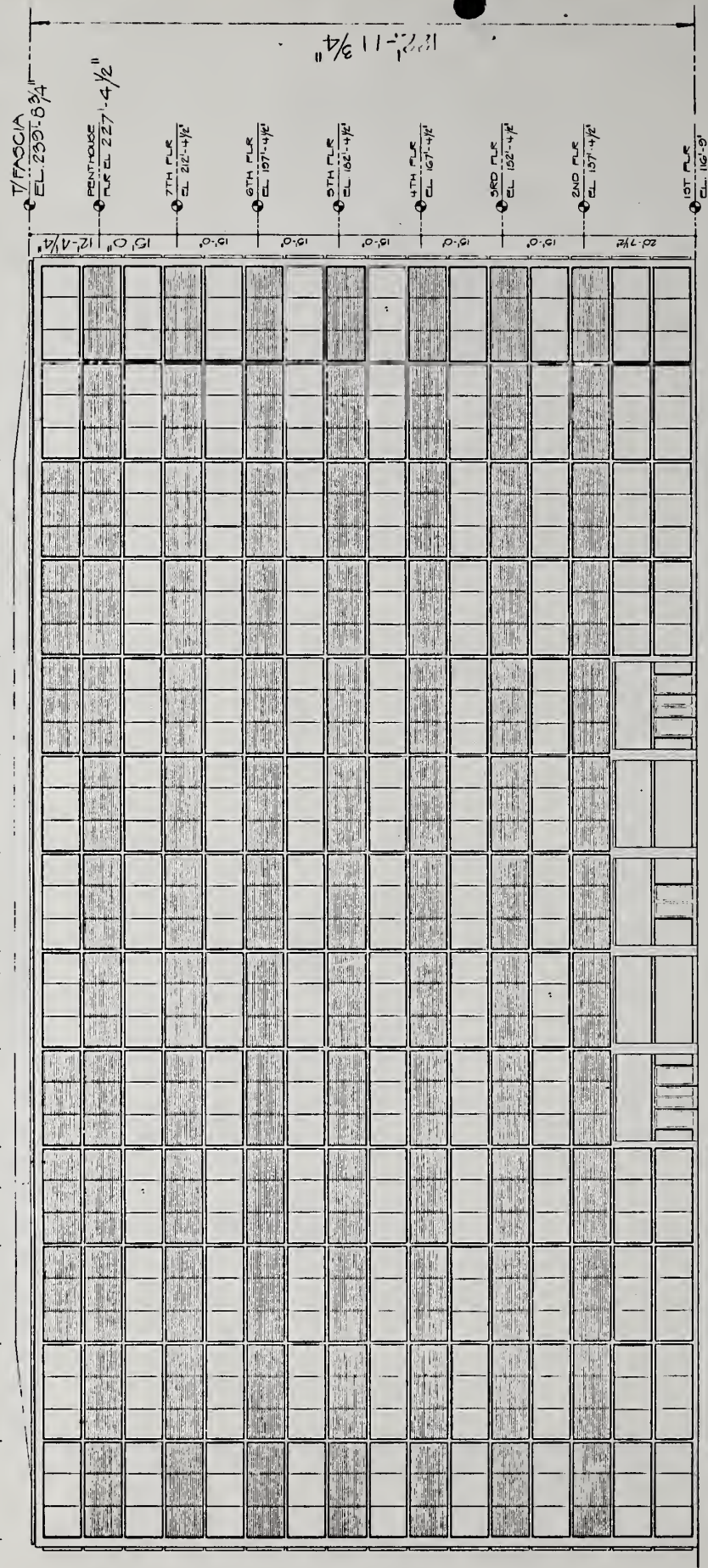


LINCOLN NATIONAL CORPORATION FORT WAYNE, INDIANA
PENTHOUSE PLAN

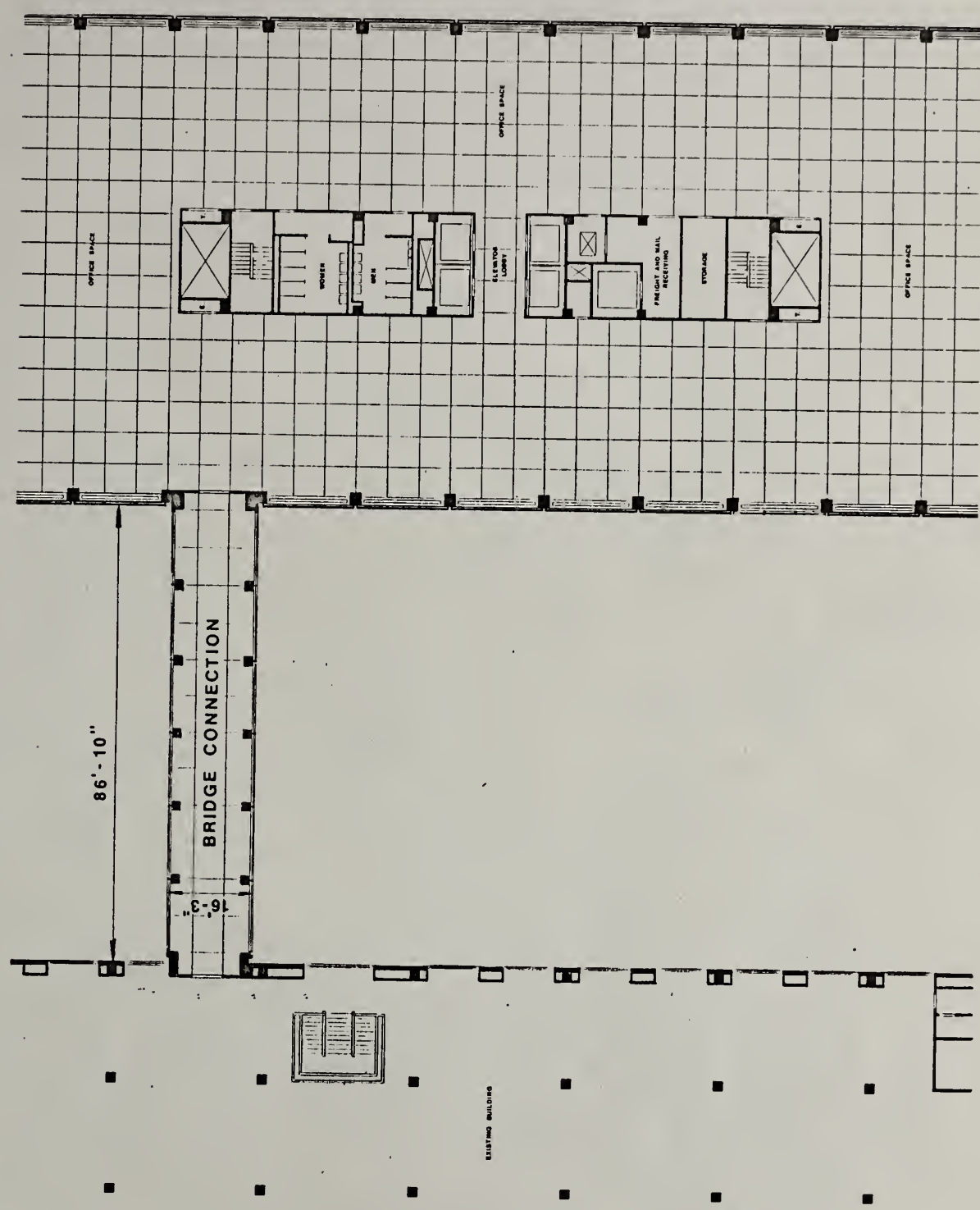




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LINCOLN NATIONAL CORPORATION FORT WAYNE, INDIANA HOLABIRD & ROOT ARCHITECTS ENGINEERS
 EAST ELEVATION



FIRST AMENDMENT TO PETITION TO CONSTRUCT
AND MAINTAIN OVERHEAD STRUCTURES

TO: THE BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

WHEREAS, the undersigned, the Petitioners have previously petitioned the Board of Public Works of the City of Fort Wayne, Indiana (the Board) for permission to construct, install, occupy and maintain two (2) overhead walkways with a canopy stretching between and connecting the walkways; and

WHEREAS, your Petitioners now wish to amend said petition to request permission to construct, install, occupy and maintain one (1) overhead walkway for the period and according to the terms and representation of the original petition.

NOW THEREFORE, your Petitioners respectfully request that the following amendments be made to the original petition:

(1) Page 1, Paragraph 1, lines 4 and 5. Delete the phrase "two (2) overhead walkways with a canopy stretching between and connecting the walkways (all hereinafter the structures)" and substitute therefore the phrase "one (1) overhead walkway (the structure)".

(2) Amend the word "structures" wherever it appears within the original petition by deleting the final "s".

(3) Page 3, Paragraph 1, lines 6 and 7. Delete the phrase "two (2) overhead walkways with a canopy stretching between and connecting the walkways" and substitute therefore the phrase "one overhead walkway".

Dated this 4th day of March, 1975.

LINCOLN NATIONAL CORPORATION

Attest:

Harlan K. Holly
Assistant Secretary

By:

Thomas A. Watson - President

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY

Attest:

Nancy C. Peden
Assistant Secretary

By:

Gathings Stewart - President

62-7

PETITION TO CONSTRUCT AND MAINTAIN
OVERHEAD STRUCTURES

B.O. 217-74

TO: THE BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

The undersigned, the Petitioners do hereby respectfully petition the Board of Public Works of the City of Fort Wayne for permission to construct, install, occupy and maintain for a period to continue so long as the hereinafter described office buildings shall stand two (2) overhead walkways with a canopy stretching between and connecting the walkways (all hereinafter the structures) connecting the real estate and the buildings thereon abutting on both sides of that part of Calhoun Street within the City of Fort Wayne, Allen County, Indiana, to-wit:

That part of Calhoun Street and the public easement therein running in a Northerly and Southerly direction between Douglas and Brackenridge Streets in the City of Fort Wayne, Indiana beginning at the Southern terminus of Douglas Street and running to the Northern terminus of Brackenridge Street.

subject only to the easement of the public therein and for proper highway purposes.

YOUR PETITIONERS REPRESENT:

(1) That your Petitioner, Lincoln National Corporation, is the owner of all the real estate immediately abutting on the East side of that part of Calhoun Street described above. That your Petitioner, The Lincoln National Life Insurance Company, a wholly owned subsidiary of Lincoln National Corporation is the owner of all the real estate abutting on the West side of that part of Calhoun Street described above. That your Petitioners presently occupy a six (6) story office building on the West side of that part of Calhoun Street described above and that they will be constructing a seven (7) story annex office building on the East side of that part of Calhoun Street described above.

(2) That the structures would not be detrimental or inconsistent with the free use of the easement of the public in that part of the street described above.

(3) That the structures would be beneficial to the public and contribute to the public safety of the City of Fort Wayne.

(4) That the structures would relieve congestion and traffic on Calhoun Street.

(5) That the structures would significantly reduce pedestrian traffic across Calhoun Street.

(6) That no part of the structures shall be constructed below 16 feet above the surface of Calhoun Street measured in perpendicular lines from the surface of Calhoun Street.

(7) That plans and specifications showing the exact location of said structures and building materials to be used will be submitted to the Board for approval prior to the start of construction and installation of said structures.

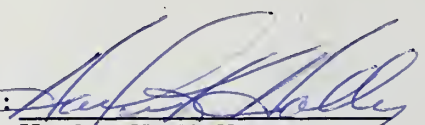
(8) That your Petitioners will pay or cause to be paid all costs of construction, installation and maintenance of said structures and appurtenances thereto including repairs to the street and sidewalk below occasioned by the construction and installation of said structures. Your Petitioners do also hereby agree to save the City of Fort Wayne harmless against any loss or damage to persons or property occasioned by said construction and installation except for acts of the City of Fort Wayne or its officers or employees.

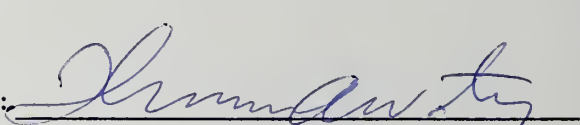
(9) That your Petitioners will pay all cost of maintenance and repair of said structures and appurtenances thereto after construction and installation and will pay all costs of maintenance and repair of the street and sidewalks beneath said structures necessitated by any maintenance or repair work on the structures.

Your Petitioners file this petition pursuant to the authority granted under the terms of Section 1, Chapter 168 of the Acts of 1927 of the General Assembly of the state of Indiana as amended by Section 1, Chapter 10 of the Acts of 1967 of the General Assembly of the state of Indiana. Indiana Code 18-5-20-1, Indiana Statutes Annotated Section 48-3106, Burns 1963 Replacement Volume, in order to secure permission to construct and maintain two (2) overhead walkways with a canopy stretching between and connecting the walkways across that portion of Calhoun Street described above.


WHEREFORE, your Petitioners pray that permission be granted to construct said structures according to the provisions of the Indiana Law pertaining thereto.

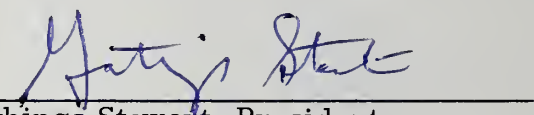
LINCOLN NATIONAL CORPORATION

ATTEST: 
Harlan K. Holly, Assistant
Secretary

BY: 
Thomas A. Watson, President

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY

ATTEST: 
Nancy C. Peden, Assistant
Secretary

BY: 
Gathings Stewart, President

1-217-17¹²



His name indicates its character

The Lincoln National Life Insurance Company

Fort Wayne, Indiana

May 27, 1965

Board of Public Works
City of Fort Wayne, Indiana

Attention: Mr. Fred S. Ehrman, Chairman

Dear Sirs:

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY ("Lincoln") is pleased to transmit to you a Special Warranty Deed attached to this letter, conveying to CITY OF FORT WAYNE, a municipal corporation of Allen County, the following described property in Allen County, Indiana:

Lots numbered 91, 92 and 93 in Hamilton's Third Addition to the City of Fort Wayne, excepting therefrom the East 46 feet thereof, all according to the recorded Plat of said Addition.

This property will be referred to in this letter as the "Property".

By your acceptance of this letter (evidenced by your signature in the place provided on a counterpart of this letter) and by your filing the deed for record, you agree:

1. That you will as soon as reasonably possible demolish, or cause to be demolished, the building located on the Property;
2. That you will as soon as possible after such demolition redesign, or cause to be redesigned, for traffic purposes, the Northeast corner of the intersection of Calhoun and Brackenridge Streets, substantially in accordance with the plan identified as Design of Northeast Corner at Brackenridge and Calhoun, in accordance with Drawing No. 25-65.
3. That you will improve the wall standing to the North of the Property (after demolition) to a condition which is not unsightly or inconsistent with the quality of outside walls of buildings in the vicinity of the Property, and will maintain such wall in such condition;

Board of Public Works
May 27, 1965
Page 2

4. That you will in such demolition assure to the party or parties entitled thereto the benefit of the Party Wall Agreement dated November 5, 1915, recorded in Miscellaneous Record 46, pages 50-51 of the records of the Recorder of Allen County, Indiana;

81.56
adit.
5. That you will, in the improvement of the Property by you as contemplated by item 2 above, not violate or interfere with the easement granted in Deed dated April 5, 1948, recorded in Deed Record 405, pages 491-492 of the records of the Recorder of Allen County, Indiana, or secure all necessary consents in relation to such easement for the contemplated improvement;

6. That you will maintain the contemplated improvement in a good state of repair; and

7. That you will arrange for the forgiveness of taxes on the Property for the year 1965, payable in 1966, or failing to achieve such forgiveness, that you will pay such taxes; and

8. That you will place and maintain all areas of the Property not used for street, sidewalk or other purposes as contemplated by the plan referred to in item 2 above in a neat and sightly condition.

After you have accomplished the demolition and improvement referred to in items 1 and 3 above, Lincoln will reimburse you the cost thereof but in no event in an aggregate amount exceeding \$7,000.00. Lincoln shall make such reimbursement immediately by its check upon your written notice advising (a) the completion of such demolition and improvement and (b) the cost thereof.

With this letter is an abstract of title to the Property, last certified to by Kuhne & Company, Inc. to August 19, 1964, at 4:18 P.M.

Board of Public Works
May 27, 1965
Page 3

If you are in agreement with the foregoing, please sign a counterpart of this letter in the space provided by your duly authorized officials and return such executed counterpart to Lincoln.

Very truly yours,

THE LINCOLN NATIONAL LIFE INSURANCE
COMPANY

By

Howard G. ...

Senior Vice President

Handwritten initials and signature

8837

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 27th day of May, A.D. 1965, between THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, a corporation existing under the laws of the State of Indiana, having its principal office at 1301 South Harrison Street, Fort Wayne, Allen County, Indiana, Grantor, and CITY OF FORT WAYNE, INDIANA, a municipal corporation of Allen County, Grantee,

WITNESSETH:

That The Lincoln National Life Insurance Company, as and for a gift, does hereby sell and convey unto the said Grantee, its successors and assigns, all the following described lot or parcel of land lying and being in the County of Allen, State of Indiana, described as follows, to wit:

Lots numbered 91, 92 and 93 in Hamilton's Third Addition to the City of Fort Wayne, excepting therefrom the East 46 feet thereof, all according to the recorded Plat of said Addition.

Subject to the Party Wall Agreement dated November 5, 1915 recorded in Miscellaneous Record 46, pages 50-51 of the Records of the Recorder of Allen County, State of Indiana, and

Subject to real estate taxes assessed for the year 1965, and all taxes thereafter and subject to all assessments, which taxes and assessments Grantee expressly assumes and agrees to pay.

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and all the estate, right, title, interest, claim, or demand whatsoever, of the said Grantor, either in law or equity, of, in and to the above described premises.

And the said The Lincoln National Life Insurance Company, as Grantor, for itself, and its successors, does warrant and covenant to the said Grantee, its successors and assigns, only against the acts of the said Grantor, that the said Grantor has not done or suffered to be done, any act or thing whereby the said premises hereby granted are, or may be, incumbered or charged, except as herein recited; and that the said Grantor will so warrant and defend to the said Grantee, its successors and assigns.

IN TESTIMONY WHEREOF, The Lincoln National Life Insurance Company has caused these presents to be executed in its corporate name and its corporate seal to be hereunto affixed by its proper officers, thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in the presence of:

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY

By Gordon C. Reeves Vice President

Attest: D. G. Williams Assistant Secretary

Highla Ellen Kiessling
Highla Ellen Kiessling

Ora L. Getz
Ora L. Getz

Grantors certify under oath that no Indiana gross Income tax is due or payable in respect to the transfer made by this deed.

DULY ENTERED FOR TAXATION

JUN - 9 1965

Walter H. Summers
AUDITOR OF ALLEN COUNTY

1965 JUN 12 45
ALLEN COUNTY RECORDER

Bd. of Works Box

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

On this 27th day of May, 1965, before me,
Edith M. Harris, a duly qualified and acting
Notary Public in and for said County and State, and residing
therein, personally appeared Gordon C. Reeves
and D. G. Williams, to me known to be the Vice
President and Assistant Secretary, respectively, of the Grantor,
The Lincoln National Life Insurance Company, and acknowledged to me that
they subscribed the name of the maker thereof to the within and foregoing
instrument in their official capacities and that the seal thereto attached
is the official seal of said corporation and that said instrument was
executed and said seal affixed by authority of the Board of Directors of
said Company and that said instrument was executed as their free and
voluntary act and deed, individually and officially, and as the free
and voluntary act and deed of said corporation, for the uses, purposes,
benefits, and consideration therein expressed.

WITNESS my hand and official seal this the day and year last above
written.

My commission expires:

January 4, 1966

Edith M. Harris
a Notary Public in and for Allen County,
Indiana



THE CITY OF FORT WAYNE

board of public works

August 21, 1975

SUBJECT: PUBLIC HEARINGS

Dear Councilman Nuckols:

Please be advised that the Board has scheduled a public hearing Thursday, September 11, 1975 at 3:30 p.m. concerning the following project(s):

HEARING ON CONFIRMATION:

Dec. Res. No. 1391-75	Edsall and Winch area condemnation (Continued from May 29, 1975)
✓ Dec. Res. 1402-75	Lincoln Life Ins. Co. Project
Dec. Res. 1401-75	" " " " "
Res. No. 5706-75	Nebraska area curb and sidewalk project.

You are invited to attend this public hearing and hear the comments of your constituents regarding the project(s). If you have any questions on the project(s), please feel free to call.

Sincerely,

Jerry D. Boswell

Carl E. O'Neal

Betty Lou Nault

BOARD OF PUBLIC WORKS

ep.

cc: Mayor

AN EQUAL OPPORTUNITY EMPLOYER



THE
LINCOLN NATIONAL
LIFE INSURANCE
COMPANY

TIMOTHY J. GIFFORD
Associate Counsel

1301 SOUTH HARRISON STREET
FORT WAYNE, INDIANA 46801
219/742-5421

March 5, 1975

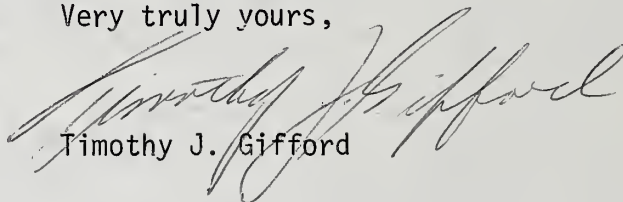
Ms. Edna Smith
Board of Works
City-County Building
Fort Wayne, Indiana 46802

Dear Ms. Smith:

Re: Deed from City of Fort Wayne
to Lincoln National Corporation

This is to inform you that the Deed from the City of Fort Wayne to Lincoln National Corporation was recorded March 4, 1975, at 3:15 P. M., in Docket No. 75-03798.

Very truly yours,


Timothy J. Gifford

eh

61-230-14
12/16/74

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 16th day of December

1974 between THE CITY OF FORT WAYNE, INDIANA, a municipal corporation of Allen County, Indiana, Grantor, and LINCOLN NATIONAL CORPORATION, a corporation existing under the laws of the State of Indiana having its principal office at 1301 South Harrison Street, Fort Wayne, Allen County, Indiana, Grantee,

WITNESSETH:

THAT, The City of Fort Wayne, does hereby sell and convey unto the said Grantee, its successors and assigns, all the following described lots or parcels of land lying and being in the County of Allen, State of Indiana, described as follows, to wit:

Part of the west 84 feet of Lots numbered 91, 92 and 93 in Hamilton's Third Addition to the City of Fort Wayne, Indiana, more particularly described as follows: Beginning at the northwest corner of Lot 93 Hamilton's Third Addition; thence east along north property line for 84 feet; thence south 60 feet to south property line of Lot 91; thence northwesterly to point of beginning on a curve of 172 feet radius.

For and in consideration of Grantee's promise to (1) maintain said real estate as a landscaped area; (2) maintain said real estate in a neat and sightly condition; (3) reconvey, without charge, to the City of Fort Wayne, Indiana, portions of the above described real estate as from time to time the City of Fort Wayne, Indiana requires for the further improvement of the intersection of Brackenridge Street and Calhoun Street abutting said real estate in the City of Fort Wayne, Indiana.

Subject to all easements, restrictions, conditions and limitations of record, if any.

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining and all the estate, right, title interest, claim or demand whatsoever of the said Grantor either in law or equite of, in and to the above described premises.

And the said City of Fort Wayne, as Grantor, for itself and its successor, does warrant and covenant to the said Grantee, its successors and assigns, only against the acts of the said Grantor, that the said Grantor has not done or suffered to be done any act or thing whereby the said real estate hereby granted is, or may be, encumbered or charged except as herein recited; and that the said Grantor will so warrant and defend to the said Grantee, its successors and assigns.

The undersigned persons executing this deed represent and certify that they are duly elected Mayor and City Clerk of the City of Fort Wayne and are fully empowered to execute and deliver this deed, to convey the real estate hereby conveyed and that all necessary action for the making of such conveyance has been taken and done.

CITY OF FORT WAYNE, INDIANA

BY:

MAYOR

BY:

CITY CLERK

STATE OF INDIANA

)
) SS:

COUNTY OF ALLEN

On this 16 day of December, in the year 1974, before me, Anne J. Zol, a Notary Public in and for Allen County, State of Indiana, duly commissioned and qualified and residing therein personally appeared Juan A. Lebanoff and Charles H. Kesterman, to me known to be the identical persons who subscribed their names to the within and foregoing instrument in my presence, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses, purposes and consideration therein set forth.

WITNESS my hand and official seal the day and year last above written.

Anne J. Zol
Notary Public

My commission expires: 3/6/76

This instrument prepared by Timothy J. Gifford, Attorney.

BASEMENT WALL

84

PROPERTY OF LINCOLN
NATIONAL LIFE INSURANCE CO.

PROPOSED SIDEWALK NEW 30" INLET
172' RADIUS
180' RADIUS
196' RADIUS

REMOVE & REPLACE
SIDEWALK

FACE OF EXIST.
CURB

FACE OF CURE

NEW 30" INLET

2' MEDIAL STREET

REMOVE EXISTING PAVEMENT

EXISTING
PAVEMENT

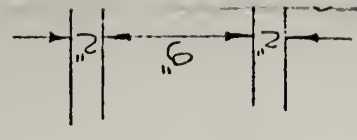
BRACKENRID

LIMITS OF PROJECT
11" M. MANHOLE

TELEPHONE MANHOLES

CONC. DRIVE

CONC. DRIVE



140' RADIUS
A STRIP OF
9" CONC. FOR CURB

CRYSTALLINE
POLE

ABANDON O.C.B.
SHOW EXISTING PIPE
ADJUST O.C.B.
WITH M.H. C.A.T.

NEW 30" INLET

LIMITS OF PROJECT



THE CITY OF FORT WAYNE

board of public works

October 1, 1975

SUBJECT: PUBLIC HEARING

Dear Councilman Nuckols:

Please be advised that the Board has scheduled a public hearing Thursday, October 9, 1975 at 3:30 p.m. concerning the following project(s):

HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Dec. Res. No. 1401-75

Vac. of first alley east of Calhoun St. from spl of Douglas St. to npl of Brackenridge Street

Dec. Res. No. 1402-75

Overhead structure over a portion at Calhoun Street
(bet. Douglas and Brackenridge) ✓

You are invited to attend this public hearing and hear the comments of your constituents regarding the project(s). If you have any questions on the project(s), please feel free to call.

Sincerely,

Jerry D. Boswell

Carl E. O'Neal

Betty Lou Nault

BOARD OF PUBLIC WORKS

ep

cc: Mayor

AN EQUAL OPPORTUNITY EMPLOYER



THE CITY OF FORT WAYNE

board of public works
city-county building
one main street
fort wayne, indiana 46802

July 15, 1976

SUBJECT: PUBLIC HEARING

Dear Councilman Nuckols:

Please be advised that the Board has scheduled a public hearing Thursday,
July 29 _____, 1976 at 3:30 p.m. concerning the follow-
ing project(s):

HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Dec. Res. No. 1423-1976 Overhead structure -
1st alley west of Calhoun bet.
Brackenridge and Baker Streets

You are invited to attend this public hearing and hear the comments of
your constituents regarding the project(s). If you have any questions
on the project(s), please feel free to call.

Sincerely,

Henry P. Wehrenberg
Ethel LaMar
Max G. Scott
BOARD OF PUBLIC WORKS

ep

cc: Mayor

AN EQUAL OPPORTUNITY EMPLOYER



Ft. Wayne Board of Public Works
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

number of lines

total number of lines in notice

REGES

nes, 1 columns wide equals 120 equivalent lines at .288¢
its per line

charge for notices containing rule or tabular work (50 per cent of above

extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

NG COST

ngle column 11 ems

Size of type 5 1/2 point

insertions 2

Size of quad upon which type is cast 5 1/2

ion and penalties of Ch. 89, Acts 1967,

eforegoing account is just and correct, that the amount claimed is legally due, after allowing all just
t of the same has been paid.

Arvilla De Wald

, 19 75

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the
undersigned ARVILLA DEWALD who, being duly sworn, says
that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published
in the English language in the city } of FORT WAYNE, INDIANA
-town-
in state and county aforesaid, and that the printed matter attached hereto is a true copy,
which was duly published in said paper for 2 time s, the dates of publication being
as follows:

8/22-29/75

Subscribed and sworn to before me this 29th day of August 1975
Notary Public

My commission expires October 25, 1975

NOTICE TO PROPERTY OWNERS
Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 14th day of August, 1975 the said Board deeming it necessary to make certain improvements adopted the following:
Declaratory Resolution No. 1402-1975
Whereas, on the 5th day of December, 1975, LINCOLN NATIONAL CORPORATION and THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, filed with this Board their written petition which was amended on the 4th day of March, 1975, for permission to construct, install, occupy and maintain across Calhoun Street between Douglas Street and Brackenridge Street in the City of Fort Wayne, Indiana, one (1) overhead walkway (hereinafter the structure) connecting the present 6 story office building of The Lincoln National Life Insurance Company located on the west side of Calhoun Street and a proposed new office building to be constructed by LINCOLN NATIONAL CORPORATION on the east side thereof, in accordance with that set of plans attached hereto as Exhibit "A", by Holabird & Root, Architects and Engineers (hereinafter the Plan) and by reference incorporated herein and make a part hereof; and
Whereas, this Board of Public Works of the City of Fort Wayne now finds and determines:
1. That LINCOLN NATIONAL CORPORATION and THE LINCOLN NATIONAL LIFE INSURANCE COMPANY are the sole owners of all real estate abutting on both sides of Calhoun Street between Douglas Street and Brackenridge Street to wit:
East side of Calhoun Street
Lots numbered 91-101, 103-107 In Hamiltons 3rd Addition to the City of Fort Wayne
West side of Calhoun Street.
Lots numbered 84-89, 52-54 In Brackenridge Addition to the City of Fort Wayne.
2. That said structure will connect the present building of The Lincoln National Life Insurance Company on the West side of Calhoun Street and the new proposed office building of Lincoln National Corporation on the East side of Calhoun Street; that the center line of said structure will be approximately 78.97 feet South from the Southeast corner of the intersection of Douglas Street and Calhoun Street along the East line of said Calhoun Street and approximately 114.00 feet South from the Southwest corner of the intersection of Calhoun and Douglas Street along the West side of Calhoun Street; that the structure will have an overall width of approximately 59.64 feet from the East line of Calhoun Street to the West line of Calhoun Street; that the said structure will have a minimum clearance above the crown of the pavement of Calhoun Street of at least sixteen (16) feet measured in a perpendicular line.
3. That the structure would not be detrimental or inconsistent with the free use of the easement of the public on Calhoun Street or be otherwise detrimental to or inconsistent with the free use of the easement of the public in Calhoun Street or the proper highway purposes thereof.
4. That the structure would be beneficial to the public and contribute to the public safety of the City of Fort Wayne.
5. That the structure would relieve congestion and traffic on Calhoun Street that would necessarily result from the movement of employees, visitors, etc. across the surface of Calhoun Street from one office building to another.
All according to the provisions of Chapter 168, Acts of 1927 Section 1 of the General Assembly of the State of Indiana as amended by Chapter 10, Section 1 of the Acts of 1967 of the General Assembly of the State of Indiana.
All as shown by a plan of such proposed overhead walkway structure as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.
The cost of said overhead walkway structure shall be assessed against the property beneficially affected thereby.
The Board of Public Works has fixed Thursday, September 11, 1975 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.
JERRY D. BOSWELL,
CARL E. O'NEAL,
BETTY LOU NAULT,
Board of Public Works
Attest: Edna I. Smith, Clerk
8-22,29

Ft. Wayne Board of Public Works
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

1
114
5
120

COMPUTATION OF CHARGES

120 lines, 1 columns wide equals 120 equivalent lines at .288¢ cents per line

\$ 34.56

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 34.56

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilles De Kald

Date August 29, 1975

Title CLERK

PUBLISHER'S AFFIDAVIT

Household Goods
WANTED: Furniture, Antiques, misc.
TOP \$\$\$ PAID, 422-2831
BETTER DEAL — Good used money
for good used furniture, antiques or
household items. 638-4765.
R CONDITIONERS IN STOCK — At
last years prices. APPLIANCE SALES,
4730 Speedway, 5300 Decatur Rd.
R CONDITIONER — 10,000 B.T.U.,
Toro lawn mower, Kirby vacuum, da-
tenport and chair set, 483-4874.
ANTIQUE PINE TRESTLE TABLE —
Antique buffet, electric air hockey
game, baby car seat, 493-3394.
PRAISALS — Auction consignments.
We Buy and Sell. THOMPSON'S AUC-
TION SERVICE, 749-1662, 432-6895.
SOFA AND CHAIR — End tables, good
condition, 493-2323.
ASSUME PAYMENTS
rooms of beautiful furniture - 38 pieces
all. Living room, bedroom, with box
spring and mattress, dinette. This is
really gorgeous furniture. \$10 per week.
HERAY'S FURNITURE CO. 743-1415
BY CRIBS — \$34; Student desk and
chair, \$9.99; Factory closeout, student
cases, \$23. Toldey Co., 4320 Ar-
more Ave.
BABY FURNITURE
Trade-ins to Exclusive
744-8402
DS — Discount prices, bunks \$159 Up,
Captains, Trundles, Twins, Chests,
ressers. Sale on firm mattresses -
box springs any size, Shelving, 10 1/2 x 8
1, Bunk House Southgate Plaza, 10-5,
Wed.-Fri. 1111 9.
Block Long Furniture Store
SPOT HOME CENTER
130 S. CLINTON
OPEN 9-9 Weekdays NEVER ON SUN.
Famous name furniture at affordable
Prices. SAVE A LOT AT SPOT
Y'S 20 IN. 3 SPEED BICYCLE — Ken-
more zig zag sewing machine, baby crib
and dressing table, high chair, black
leather couch, tilt chair and regular
arm chair, 749-9034.
RPETING — Blue-gray, with foam
rubber backing. Reasonable. 447-5322 at-
ter 5 p.m.
RPETING — 34 sq. yds. Sandiwood

Claim No. Warrant No.

IN FAVOR OF

\$

On Account of Appropriation for

Appropriation No.

Allowed, 19...

In the sum of \$

I have examined the within claim and hereby certify as follows:
That it is in proper form.
That it is duly authenticated as required by law.
That it is apparently } Correct
 } Incorrect

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

TABLE SHOWING PRICE PER LINE AND PER INSERTION FOR

SIZE OF TYPE	11 Em Column (132 Points) Number of Insertions			
	1	2	3	4
5½	.192	.288	.384	.480
6	.176	.264	.352	.440
7	.151	.227	.302	.378
7½	.14	.21	.28	.35
8	.132	.198	.264	.33
9	.117	.176	.234	.293
10	.106	.159	.212	.265
12	.088	.132	.176	.22

Note: Above table is based on a square of 250 ems.

Ft. Wayne Board of Public Works
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Number of lines

Total number of lines in notice

ARGES

Lines, 1 columns wide equals 120 equivalent lines at .288¢ cents per line

charge for notices containing rule or tabular work (50 per cent of above

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TOTAL AMOUNT OF CLAIM

NG COST

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insertions 2

Size of quad upon which type is cast 5 1/2

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Arvilla DeWald
Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

8/22-29/75

Subscribed and sworn to before me this 29th day of August 1975

Notary Public

My commission expires October 25, 1975

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JERRY D. BOSWELL,
CARL E. O'NEAL,
BETTY LOU NAULT,
Board of Public Works
Attest: Edna I. Smith, Clerk
8-22-79

Ft. Wayne Board of Public Works
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Body number of lines	114
Tail number of lines	5
Total number of lines in notice	120

COMPUTATION OF CHARGES

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TOTAL AMOUNT OF CLAIM	\$ 34.56

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5 1/2 point
Number of insertions 2	Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date August 29, 1975

Arvilla De Hald
CLERK
Title

Household Goods
A BARGAIN AT A C A
WANTED: Furniture, Antiques, misc.
TOP \$\$\$ PAID. 422-2831
BETTER DEAL — Good used money
or good used furniture, antiques or
household items. 638-4765.
CONDITIONERS IN STOCK — At
just years prices. APPLIANCE SALES.
CONDITIONER — 10,000 B.T.U.
730 S. Leeway, 5300 Decatur Rd.
oro lawn mower; Kirby vacuum; da-
tinue pine RESTLE TABLE —
antique buffet, electric air hockey
game, baby car seat, 493-3394.
FRAISALS — Auction Consignments.
Buy and Sell. THOMPSON'S AUC-
TION SERVICE. 749-1662, 432-6895.
COFA AND CHAIR — End tables, good
condition. 493-2323.
ASSUME PAYMENTS
rooms of beautiful furniture. 38 pieces
all. Living room, bedroom, with box
spring and mattress, dinette. This is
really gorgeous furniture. \$10 per week.
HERAY'S FURNITURE CO. 743-1415
BY CRIBS — \$34. Student desk and
chair. \$9.99. Factory closeout, student
cases, \$23. Toy Co., 4320 Apr
more Ave.
BABY FURNITURE
Trade-ins to Exclusive
744-8402
DS — Discount prices, bunks \$159 Up.
apkins, Trundels, Twins, Chests,
ressers, Sale on Firm mattresses.
ox springs any size. Shelving, 10 1/2 x 8'
Bunk House Southgate Plaza, 10-5.
Block Long Furniture Store
130 S. CLINTON
PEN 9-9 Weekdays NEVER ON SUN.
amous name furniture at affordable
Prices. SAVE A LOT AT SPOT
S 20 IN. 3 SPEED BICYCLE — Ken-
ore zig zag sewing machine, baby crib
d dressing table, high chair, black
other couch, tilt chair and regular
m chair. 749-9034.
PETING — Blue-gray, with foam
ber backing. Reasonable. 447-5322 at-

Ft. Wayne Board of Public Works
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

1
114

Body number of lines

5
120

er of lines

number of lines in notice

ES

1 columns wide equals 120 equivalent lines at .288¢ per line

\$ 34.56

arge for notices containing rule or tabular work (50 per cent of above

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COST

le column 11 ems

Size of type 5½ point

assertions 2

Size of quad upon which type is cast 5½

n and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

V. E. Gerken

19 75

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. Gerken who, being duly sworn, says

that She is Clerk of the

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

time, S the dates of publication being

as follows:

8/22-29/75

Subscribed and sworn to before me this 29th day of August 19 75

Notary Public

My commission expires October 25, 1975

NOTICE TO PROPERTY OWNERS
Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 14th day of August, 1975 the said Board deeming it necessary to make certain improvements adopted the following:
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Whereas, this Board of Public Works of the City of Fort Wayne now finds and determines:
1. That LINCOLN NATIONAL CORPORATION and THE LINCOLN NATIONAL LIFE INSURANCE COMPANY are the sole owners of all real estate abutting on both sides of Calhoun Street between Douglas Street and Brackenridge Street to wit:
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Lots numbered 91-101, 103-107 in Hamiltons 3rd Addition to the City of Fort Wayne
West side of Calhoun Street.
Lots numbered 84-89, 52-54 in Brackenridge Addition to the City of Fort Wayne.
2. That said structure will connect the present building of The Lincoln National Life Insurance Company on the West side of Calhoun Street and the new proposed office building of Lincoln National Corporation on the East side of Calhoun Street; that the center line of said structure will be approximately 78.97 feet South from the Southeast corner of the intersection of Douglas Street and Calhoun Street along the East line of said Calhoun Street and approximately 114.00 feet South from the Southwest corner of the intersection of Calhoun and Douglas Street along the West side of Calhoun Street; that the structure will have an overall width of, approximately 59.64 feet from the East line of Calhoun Street to the West line of Calhoun Street; that the said structure will have a minimum clearance above the crown of the pavement of Calhoun Street of at least sixteen (16) feet measured in a perpendicular line.
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5. That the structure would relieve congestion and traffic on Calhoun Street that would necessarily result from the movement of employees, visitors, etc. across the surface of Calhoun Street from one office building to another.
All according to the provisions of Chapter 168, Acts of 1927 Section 1 of the General Assembly of the State of Indiana as amended by Chapter 10, Section 1 of the Acts of 1967 of the General Assembly of the State of Indiana.
All as shown by a plan of such proposed overhead walkway structure as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.
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The Board of Public Works has fixed Thursday, September 11, 1975 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.
JERRY D. BOSWELL,
CARL E. O'NEAL,
BETTY LOU NAULT,
Board of Public Works
Attest: Edna I. Smith, Clerk
8-22,29

Ft. Wayne Board of Public Works
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head number of lines	1
Body number of lines	114
Tail number of lines	5
Total number of lines in notice	120

COMPUTATION OF CHARGES

120 lines, 1 columns wide equals 120 equivalent lines at .288¢ cents per line	\$ 34.56
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	\$ 34.56

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5 1/2 point
Number of insertions 2	Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date August 29, 1975

Arville DeTold
CLERK

Household Goods
WANTED: Furniture, Antiques, misc.
TOP \$\$\$ PAID. 422-2831
BETTER DEAL — Good used money
or good used furniture, antiques or
household items. 638-4765.
CONDITIONERS IN STOCK — At
least years prices. APPLIANCE SALES,
730 Speedway, 5300 Decatur Rd.
CONDITIONER — 10.00 B.T.U.
oro lawn mower; Kirby vacuum; da-
enport and chair set. 483-4874.
TIQUE PINE TRESTLE TABLE —
antique buffet, electric air hockey
game, baby car seat. 493-394.
FRAISALS — Auction Consignments.
Buy and Sell. THOMPSON'S AUC-
TION SERVICE. 749-1662, 432-6895.
OFA AND CHAIR — End tables, good
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balance due on unredeemed layaway.
rooms of beautiful furniture 38 pieces
all. Living room, bedroom, with box
spring and mattress, dinette. This is
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BY CRIBS — \$34; Student desk and
chair. \$9.99; Factory closeout, student
bookcases, \$23. Tolday Co., 4320 Ar-
more Ave.
BABY FURNITURE
Trade-ins to Exclusive
744-8402
DS — Discount prices, bunks \$159 Up,
Chests, Trundle, Twins, Chests,
ressers. Sale on Firm mattresses -
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Bunk House Southgate Plaza, 10-5.
ed. Fri. till 9.
Block Long Furniture Store
130 S. CLINTON
PEN 9-9 Weekdays NEVER ON SUN.
amous name furniture at affordable
Prices. SAVE A LOT AT SPOT
S 20 IN. 3 SPEED BICYCLE — Ken-
ore zig zag sewing machine, baby crib
id dressing table, high chair, black
other couch, ill chair and regular
m chair. 749-9034.
PETING — Blue-gray, with foam
ber backing. Reasonable. 447-5322 at-
5 p.m.

Claim No. Warrant No.

IN FAVOR OF

\$

On Account of Appropriation for

Appropriation No.

Allowed , 19

In the sum of \$

I have examined the within claim and hereby certify as follows:
That it is in proper form.
That it is duly authenticated as required by law.
That it is apparently } Correct
 { Incorrect

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

TABLE SHOWING PRICE PER LINE AND PER INSERTION FOR

SIZE OF TYPE	11 Em Column (132 Points) Number of Insertions			
	1	2	3	4
5½	.192	.288	.384	.480
6	.176	.264	.352	.440
7	.151	.227	.302	.378
7½	.14	.21	.28	.35
8	.132	.198	.264	.33
9	.117	.176	.234	.293
10	.106	.159	.212	.265
12	.088	.132	.176	.22

Note: Above table is based on a square of 250 ems.

Ft. Wayne Board of Public Works
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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Subscribed and sworn to before me this 29th day of August 19 75

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My commission expires October 25, 1975

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CARL E. O'NEAL,
BETTY LOU NAULT,
Board of Public Works
Attest: Edna I. Smith, Clerk
8-22,29

To NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

LINE COUNT

Total number of lines in notice

$$\begin{array}{r} 1 \\ 114 \\ \hline 5 \\ \hline 120 \end{array}$$

\$ 34.56

Size of quad upon which type is cast..... $5\frac{1}{2}$

V. E. Gerken

Title Clerk

PUBLISHED'S AFFIDAVIT

Ft. Wayne Board of Public Works
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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1
114

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CHARGES

_____ columns wide equals 120 equivalent lines at .288¢ per line

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TOTAL AMOUNT OF CLAIM

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PRINTING COST

single column 11 ems

Size of type 5½ point

insertions 2

Size of quad upon which type is cast 5½

penalties of Ch. 89, Acts 1967,

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CARL E. O'NEAL,
BETTY LOU NAULT,
Board of Public Works
Attest: Edna I. Smith, Clerk

Ft. Wayne Board of Public Works
(Governmental Unit)

To.....NEWS-SENT INEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA.....

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	<div>1141</div>
Body	number of lines	
Tail	number of lines	<div>5120</div>
Total number of lines in notice		

COMPUTATION OF CHARGES

120	lines,	1	columns wide equals	120	equivalent lines at	.288¢	
			cents per line				\$ 34.56
Additional charge for notices containing rule or tabular work (50 per cent of above amount)							
Charge for extra proofs of publication (50 cents for each proof in excess of two)							
TOTAL AMOUNT OF CLAIM							\$ 34.56

DATA FOR COMPUTING COST

Width of single column	11 ems	Size of type	5½ point
Number of insertions	2	Size of quad upon which type is cast	5½

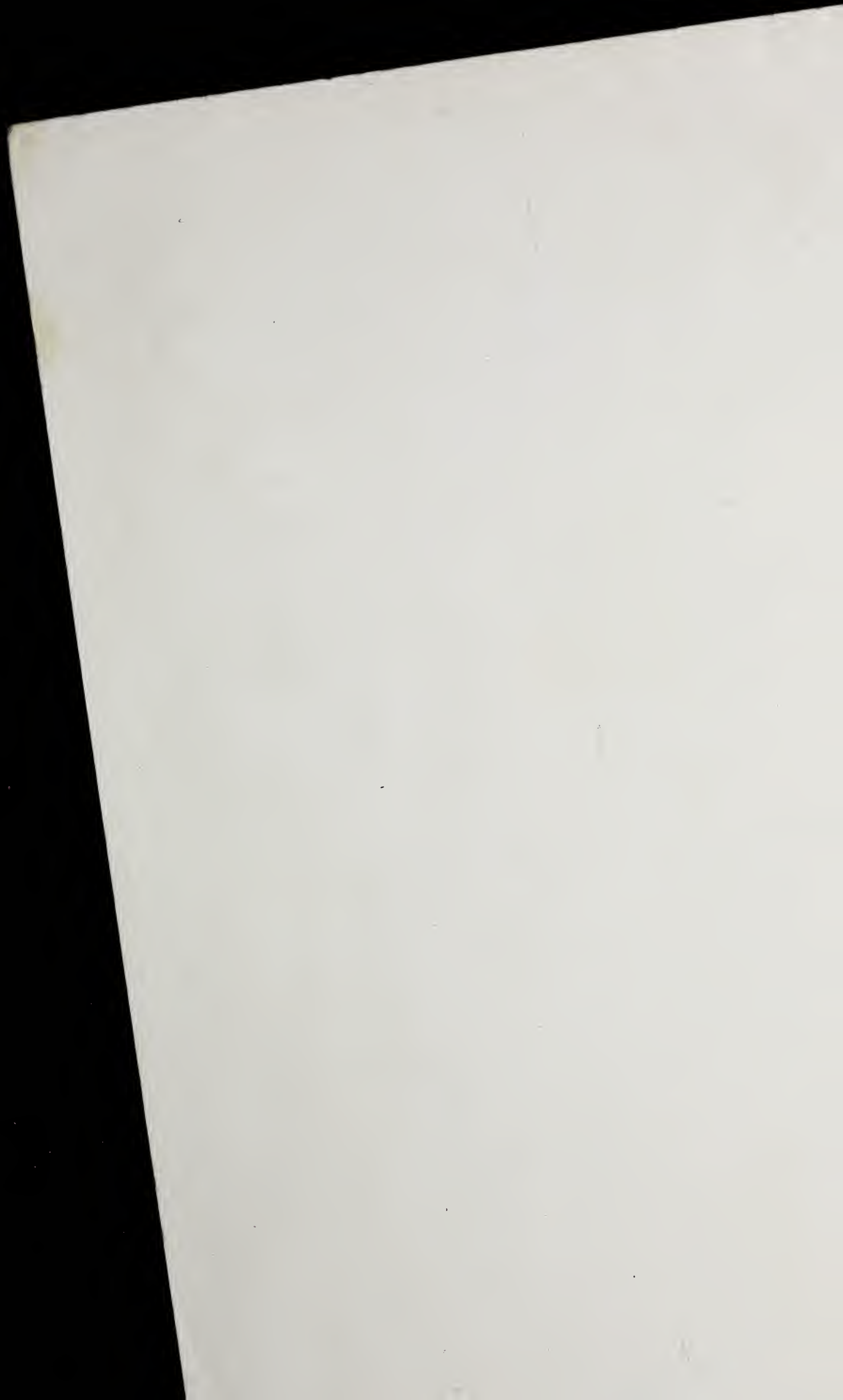
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I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date August 29, 19 75

Title Clerk



Claim No..... Warrant No.....

IN FAVOR OF

\$.....

On Account of Appropriation for

Appropriation No.....

Allowed....., 19.....

In the sum of \$.....

I have examined the within claim and hereby certify as follows:
That it is in proper form.
That it is duly authenticated as required by law.
That it is apparently } Correct
 { Incorrect

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

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10	.106	.159	.212	.265
12	.088	.132	.176	.22

Note: Above table is based on a square of 250 ems.

Improvement Resolution No. 1402-75 For THE CONSTRUCTING AN OVERHEAD STRUCTURE OVER A PORTION OF CALHOUN

STREET BETWEEN DOUGLAS STREET AND BRACKENRIDGE STREET

	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O. L.	
1	LINCOLN NATIONAL CORP.	1301 S. HARRISON	91			HAMILTONS 3RD ADDITION
2	"		92			" " "
3	"		93			" " "
4	"		94			" " "
5	"		95			" " "
6	"		96			" " "
7	"		97			" " "
8	"		98			" " "
9	"		99			" " "
10	"		100			" " "
11	"		101			" " "
12	"		103			" " "
13	"		104			" " "
14	"		105			" " "
15	"		106			" " "
16	"		107			" " "
17	LINCOLN NATIONAL LIFE INSURANCE CO.		84			BRACKENRIDGE ADD
18	"		85			" " "
19	"		86			" " "
20	"		87			" " "
21	"		88			" " "
22	"		89			" " "
23	"		52			" " "
24	"		53			" " "
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62						
63	NOTICES MAILED OR SERVED					
64	8-29-75					
65	By <u>SP</u>					
		TOTAL				

8-15-75
SP

